HOUSE OF REPRESENTATIVES—*Tuesday, July 23, 1991*

The House met at 12 noon.

The Reverend Dr. Joel Dent, Pine Forest United Methodist Church, Dublin, GA, offered the following prayer:

Eternal God, whose power fills all darkness with light and all minds with truth, come with divine inspiration upon this gathered body to guide deliberations, enhance discussions, and influence decisions which promote justice, equal mercy, and lasting peace.

May government of, by, and for the people flourish in these crowded and busy Halls.

May Representatives see individual tasks as important contributions to the larger whole.

Bless those who grow tired and weary. Refresh their minds with new insights and broader visions.

May the preferences of the few give way to the needs of the many.

May the dreams of greatness yield to the greatness of dreams.

Undergird America's leaders with a love for God that deepens our respect and love for all the world. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. MARLENEE. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER. The question is on the Chair's approval of the Journal.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. MARLENEE. Mr. Speaker, I object to the vote on the grounds that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 274, nays 104, not voting 55, as follows:

[Roll No. 217]

YEAS—274

Abercrombie
Alexander
Anderson
Andrews (ME)
Andrews (NJ)
Andrews (TX)
Annunzio
Anthony
Applegate
Archer
Aspin
Atkins
AuCoin
Bacchus
Barton
Bateman
Beilenson
Bennett
Berman
Bevill
Bilbray
Borski
Boucher
Boxer
Brewster
Broomfield
Browder
Brown
Bruce
Bryant
Bustamante
Byron
Campbell (CO)
Cardin
Carper
Carr
Chapman
Clement
Clinger
Coleman (TX)
Collins (IL)
Collins (MI)
Combest
Conyers
Cooper
Costello
Cox (IL)
Coyne
Cramer
Darden
Davis
de la Garza
DeFazio
DeLauro
Derrick
Dicks
Dixon
Dooley
Dorgan (ND)
Downey
Dreier
Duncan
Durbin
Dwyer
Dymally
Early
Eckart
Edwards (CA)
Edwards (TX)
Emerson
English
Erdreich
Espy
Evans
Fascell
Fazio
Feighan
Fish
Flake
Foglietta
Ford (MI)
Frank (MA)
Frost
Gaydos
Gephardt
Geren
Gibbons
Gillmor
Gilman
Glickman
Gonzalez
Gordon
Gradison
Guarini
Gunderson
Hall (OH)
Hall (TX)
Hamilton
Hammerschmidt
Harris
Hatcher
Hayes (IL)
Hayes (LA)
Hefner
Hertel
Hoagland
Hochbrueckner
Horn
Horton
Houghton
Hoyer
Hubbard
Huckaby
Hughes
Hutto
Johnson (CT)
Johnson (SD)
Jones (GA)
Jones (NC)
Jontz
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Kleczka
Klug
Kopetski
Kostmayer
LaFalce
Lancaster
Lantos
LaRocco
Laughlin
Lehman (CA)
Lent
Levin (MI)
Lewis (CA)
Lewis (GA)
Lipinski
Livingston
Lloyd
Long
Lowey (NY)
Luken
Manton
Markey
Martinez
Mazzoli
McCloskey
McCollum
McCrery
McCurdy
McDermott
McEwen
McHugh
McMillan (NC)
McMillen (MD)
McNulty
Mfume
Miller (CA)
Mineta
Mink
Moakley
Mollohan
Montgomery
Moody
Moran
Morrison
Murtha
Myers
Nagle
Natcher
Neal (NC)
Nichols
Nowak
Obey
Olin
Olver
Ortiz
Orton
Owens (NY)
Owens (UT)
Oxley
Packard
Pallone
Panetta
Parker
Patterson
Payne (VA)
Pease
Penny
Perkins
Peterson (FL)
Peterson (MN)
Petri
Pickett
Pickle
Poshard
Pursell
Quillen
Rahall
Rangel
Ravenel
Ray
Reed
Richardson
Rinaldo
Ritter
Roe
Roemer
Ros-Lehtinen
Rose
Rostenkowski
Roth
Rowland
Roybal
Russo
Sabo
Sanders
Sangmeister
Sarpalius
Savage
Sawyer
Scheuer
Schulze
Schumer
Serrano
Sharp
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slattery
Smith (FL)
Smith (NJ)
Snowe
Solarz
Spence
Spratt
Staggers
Stallings
Stark
Stokes
Studds
Swett
Synar
Tallon
Tanner
Tauzin
Taylor (MS)
Thomas (GA)
Thornton
Torres
Towns
Traficant
Traxler
Unsoeld
Valentine
Vento
Visclosky
Volkmer
Walsh
Waters
Waxman
Wheat
Whitten
Williams
Wise
Wolpe
Wyden
Wylie
Yates

NAYS—104

Allard
Armey
Baker
Ballenger
Barrett
Bentley
Bereuter
Bilirakis
Bliley
Boehlert
Boehner
Bunning
Burton
Camp
Campbell (CA)
Chandler
Clay
Coble
Coleman (MO)
Coughlin
Cox (CA)
Crane
Cunningham
Dannemeyer
DeLay
Dickinson
Doolittle
Dornan (CA)
Edwards (OK)
Ewing
Fawell
Fields
Gallegly
Gallo
Gekas
Gilchrest
Gingrich
Goodling
Goss
Grandy
Hancock
Hansen
Hastert
Hefley
Henry
Herger
Hobson
Hunter
Inhofe
Jacobs
James
Kolbe
Kyl
Lagomarsino
Leach
Lewis (FL)
Lightfoot
Machtley
Marlenee
Martin
McCandless
McDade
McGrath
Meyers
Michel
Miller (OH)
Molinari
Moorhead
Morella
Murphy
Nussle
Paxon
Porter
Ramstad
Regula
Rhodes
Ridge
Riggs
Roberts
Rogers
Rohrabacher
Roukema
Santorum
Saxton
Schaefer
Schroeder
Sensenbrenner
Shays
Sikorski
Slaughter (VA)
Smith (OR)
Smith (TX)
Solomon
Stump
Taylor (NC)
Thomas (WY)
Upton
Vucanovich
Walker
Weldon
Wolf
Young (FL)
Zeliff
Zimmer

NOT VOTING—55

Ackerman
Barnard
Bonior
Brooks
Callahan
Condit
Dellums
Dingell
Donnelly
Engel
Ford (TN)
Franks (CT)
Gejdenson
Gray
Green
Holloway
Hopkins
Hyde
Ireland
Jefferson
Jenkins
Johnson (TX)
Johnston
Kasich
Kolter
Lehman (FL)
Levine (CA)
Lowery (CA)
Matsui
Mavroules
Miller (WA)
Mrazek
Neal (MA)
Oakar
Oberstar
Payne (NJ)
Pelosi
Price
Schiff
Shaw
Slaughter (NY)
Smith (IA)
Stearns
Stenholm
Sundquist
Swift
Thomas (CA)
Torricelli
Vander Jagt
Washington
Weber
Weiss
Wilson
Yatron
Young (AK)

☐ 1225

Mr. ESPY changed his vote from "nay" to "yea."

So the Journal was approved.

The result of the vote was announced as above recorded.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas [Mr. DELAY] kindly come forward and lead the House in the Pledge of Allegiance.

Mr. DELAY led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Hallen, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 2525. An act to amend title 38, United States Code, to codify the provisions of law relating to the establishment of the Department of Veterans Affairs, to restate and reorganize certain provisions of that title, and for other purposes.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2519. An act making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for the fiscal year ending September 30, 1992, and for other purposes;

H.R. 2622. An act making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1992, and for other purposes; and

H.R. 2699. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1992, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 2519), an act making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for the fiscal year ending September 30, 1992, and for other purposes, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Ms. MIKULSKI, Mr. LEAHY, Mr. JOHNSTON, Mr. LAUTENBERG, Mr. FOWLER, Mr. KERREY, Mr. BYRD, Mr. GARN, Mr. D'AMATO, Mr. BOND, Mr. NICKLES, Mr. GRAMM, and Mr. HATFIELD, to be conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 2622), an act making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending September 30, 1992, and for other purposes, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. DECONCINI, Mr. BYRD, Ms. MIKULSKI, Mr. KERREY, Mr. DOMENICI, Mr. HATFIELD, and Mr. D'AMATO, to be conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 2699), an act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1992, and for other purposes, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ADAMS, Mr. FOWLER, Mr. KERREY, Mr. BYRD, Mr. BOND, Mr. GORTON, and Mr. HATFIELD, to be the conferees on the part of the Senate.

The message also announced that, pursuant to Public Law 102-62, the Chair announces on behalf of the majority leader, the appointment of Gordon M. Ambach, of the District of Columbia, to the National Council on Education Standards and Testing.

THE REVEREND DR. JOEL DENT

(Mr. ROWLAND asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROWLAND. Mr. Speaker, it is my pleasure today to have my pastor here as a guest Chaplain, Dr. Joel Hill Dent, who is a native of Douglas, GA; a graduate of South Georgia College, LaGrange College, and Emory University's Candler School of Theology. In 1986 he received the doctor of ministry degree in the area of pastoral and family counseling. He has served on the conference board of ordained ministry as candidacy registrar, the board of health and welfare, the conference committee on education, and for 6 years as a trustee of the Methodist Home. He also serves on the Dublin District Council on Ministries.

As I said, he is presently serving as pastor of the Pine Forest United Methodist Church in my hometown of Dublin, GA. I am very pleased to have him here today, Mr. Speaker.

CRIME BILL DISCHARGE

(Mr. SOLOMON asked and was given permission to address the House for 1 minute.)

Mr. SOLOMON. Mr. Speaker, today I have filed discharge petition No. 1 on House Resolution 183 which is a 1-hour open rule providing for the consideration of H.R. 1400, the President's Comprehensive Violent Crime Act of 1991.

Mr. Speaker, my colleagues will recall that in his speech to a joint session of Congress back on March 6 of this year, the President challenged us to pass his crime and highway bills in 100 days.

Well, Mr. Speaker, it has now been 138 days since that speech and the President's crime bill still languishes in some dark recess of the Judiciary Committee—a legislative black hole if there ever was one.

Mr. Speaker, the other body has already passed a crime bill acceptable to the President. And yet, all we've heard from the House to date are cries of protest from some Democrats that the bill is too tough, too tough on murderers, too tough on drug barons, too tough on ruthless criminals who have no respect for human life at all.

I would say to my colleagues on the other side of the aisle that you are certainly entitled to bring out a softer on crime bill if you want, but at least give this House a chance to vote on the alternatives.

I urge my colleagues to sign discharge petition No. 1, so that we can force this important anticrime measure to the floor and debate and amend it under an open rule.

□ 1230

REAL VERSUS UNREAL INCOME

(Mr. PEASE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PEASE. Mr. Speaker, last Thursday, this body received an amazing revelation from our colleague, the gentleman from Pennyslvania, with respect to real, and presumably unreal, income. When I took economics in college, I was taught that an increase in wealth represented income. I was not taught the Republican subtleties of real versus unreal income. I did not learn, for example, as my Pennsylvania colleague claims, that an investor earning $20,000 on a stock investment is not as well off as a steel worker working in the mill for $20,000 a year. That is certainly a novel concept.

The gentleman from Pennsylvania argues that capital gains income is not the same as earned income. In one respect there is some truth to his statement. The Bush administration and my Republican colleagues are not trying to provide tax breaks for earned income, but only for capital gains.

THE 36 PERCENT TAX BRACKET WOULD HINDER ECONOMIC GROWTH

(Mr. DELAY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DELAY. Mr. Speaker, the Gore-Downey bill, (H.R. 2242/S. 995) that calls for an increase in the top tax rate to 36 percent will not accomplish what its proponents claim. The notion that increasing the tax rate for upper income Americans will lighten the tax burden of the middle class is simply false.

We all know that under Ronald Reagan, the highest marginal tax rate dropped from 50 to 28 percent. The change, however, did not mean rich people got to pay less in taxes. It meant they got to pay more. Under the 1981 tax cuts, the share of all taxes paid by the richest 1 percent of American taxpayers rose from 18 percent in 1981 to 28 percent in 1988. The bottom percent of Americans saw its share of the tax burden drop from 77 to 66 percent.

Increasing tax rates for the wealthy will not lead to greater economic pros-

perity for middle class America. In fact, historically, a decrease in top tax rates has historically benefited everyone more than an increase ever has. If the top income tax rate were raised to 36 percent, there would be definite changes: Affluent Americans would be paying higher tax rates on declining incomes. As a result, people in the middle class would end up paying more taxes for the privilege of punishing the rich, and all of us would be sacrificing the economic growth promoted by a sensible Tax Code.

H.R. 2943 PROMOTES PROGRAMS THAT GIVE DISADVANTAGED CHILDREN AN OPPORTUNITY TO GO TO COLLEGE

(Mr. BALLENGER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BALLENGER. Mr. Speaker, last Thursday, I introduced H.R. 2943 which promotes the "I Have a Dream" College Scholarship Program created by Eugene Lang.

Under the original "I Have a Dream" Program, disadvantaged youth are promised a free college education if they complete their studies and graduate from high school. Many businesses and individuals have sponsored disadvantaged children beginning in the sixth or seventh grade by guaranteeing the payment of college tuition in exchange for the successful completion of elementary and secondary school. They also serve as counselors and mentors providing much needed encouragement for these youngsters to stay in school. In my hometown of Hickory, NC, Catawba Valley Community College sponsors such a program for sixth graders and it has changed their lives forever.

H.R. 2943 directs the Department of Education to compile and make available information about the various "I Have a Dream" type scholarship programs so that those interested in helping a disadvantaged student receive a college education will have knowledge about programs that work.

Businesses want and need students with the education and skills necessary for employment in order to continue to compete in today's world markets. This is one small step that can help the private sector find educated workers while changing a youngster's life forever.

CAN'T ANYONE IN THIS ADMINISTRATION COUNT?

(Mr. ANNUNZIO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ANNUNZIO. Mr. Speaker, Treasury Secretary Brady testified that an additional $80 billion in loss funds will be required for the RTC. This sum is on top of the $50 billion authorized by FIRREA in 1989, and the additional $30 billion Congress approved just last March.

In making this request, Secretary Brady engaged in an astonishing display of revisionist history. He claimed that this new request does not represent a true increase over earlier administration estimates.

In January, Brady estimated the RTC's total cost to be between $90 billion and $130 billion. "We still believe this to be true," he testified, since $130 billion in 1989 dollars is about $160 billion. What a cop out.

First, I must correct the Secretary's arithmetic. An inflation rate of 11 percent over the last 2 years would be necessary to turn $130 billion into $160 billion in 1991. In reality, inflation has averaged 5 percent over this period.

Second, if the Secretary wants to use the standard of 1989 dollars, I would remind him of his repeated assurances in 1989 that $50 billion would be the maximum price tag for the regulatory disaster known as the RTC. It seems that he missed the mark, no matter how you add it up.

It is time for the administration to stop playing number games and start making the RTC work.

THE TIME FOR NOTCH REFORM HAS COME

(Mr. SAXTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SAXTON. Mr. Speaker, earlier this month, more than 30 of my colleagues, and I, stood outside this Chamber for a press conference.

The bipartisan group had one message: The time for notch reform has come.

We announced that for the first time there is a majority in the House who support correcting the notch.

You do not have to ask me; you can ask any of the 235 Members who have cosponsored H.R. 917.

H.R. 917 is different from past notch reform legislation. Late last fall major sponsors of 101st congressional notch bills gathered to develop a consensus, and we did it.

Not only does the bill help retirees with modest earnings histories, but it also uses a 10-year transition formula favored by a 1988 GAO report.

And, when the legislation was introduced, it had more than 130 original sponsors.

The consensus is in; the time has come for a vote on the House floor.

IT IS TIME TO CITE JAPAN FOR ILLEGAL TRADE IN AMERICA

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, experts say that Japan will control 40 percent of the American trade markets by 1992. They say Japan will accomplish this because Japan is cheating and lying and practicing illegal trade such as Toyota and Mazda dumping minivans in the American marketplace 30 percent below the cost that they sell them in Japan.

Second of all, these Japanese carmakers are lying about the domestic content provisions and lying about their operating expenses, and not even paying taxes to Uncle Sam. Everybody in America knows Japan is ripping us off; Congress knows it, the White House knows it, and no one is doing anything.

I say it is time to cite Japan for illegal trade in America before we do not have a domestic car maker left, and the only thing they will understand is: Hitting them in the pocketbook.

It is time for Congress to act on illegal trade.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MCNULTY). The Chair would remind our guests in the gallery that we are delighted to have them here but they are not to respond to statements made by Members on the floor.

□ 1240

CORRECTING THE NOTCH

(Mr. GOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, what if someone proposed a bill that would decrease the salaries of Members of Congress who were born between, say, 1936 and 1941? Although I am sure some of our constituents might applaud such a measure, I think most would agree that singling out one group of individuals for cuts simply because of when they were born is unfair. Still, this Congress continues to stand by and allow just such an injustice to stand. More than 12 million seniors—the so-called notch babies—have been deprived of their Social Security benefits thanks to an alleged quick fix in the late 1970's that was designed to bail out the system. The public distress that has characterized this issue for the past 13 years is rising to an audible pitch as 235 of our colleagues, a majority of this House representing both sides of the aisle, have now committed to correcting this unintended discrepancy. H.R. 917, legislation designed to ease the effects of the transitional formula, would pass this House today if the leadership would allow a vote.

We've taken the easy way out—sitting by and waiting for this issue to go

away—for too long. I urge my colleagues to acknowledge the unfairness of the notch and restore credibility to the Social Security System. Let us bring H.R. 917 to the floor now.

IMPORTANCE OF A STRONG MILITARY RESERVE AND MEDICAL COMPONENTS

(Mr. MAZZOLI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MAZZOLI. Mr. Speaker, one of the great and happy differences between the aftermath of the war in the gulf and the aftermath of the war in Vietnam is that, unlike Vietnam, when the returning men and women were forgotten, or, even worse, ignored, the people who are coming back from Desert Storm, the men and women, are being honored and revered for the sacrifice they made.

Mr. Speaker, just last Saturday, at home in Louisville, I had the chance to join with my friends in welcoming back officially the 5010th U.S. Army Hospital Unit which was deployed in January and February of this year throughout the country, with several of them sent to Saudi Arabia. Colonel Nold, Dr. Robert Nold, who is the commanding officer, and Maj. Michael Freville, who is the administrative officer and who took control of the unit, spoke to the assemblage on Saturday and made the point, something I was not aware of myself, that something like two-thirds of the U.S. Army's medical capability is in Reserve components. So, it is very important for us in Washington and in the Congress to make sure that we have a strong Army Reserve and, particularly, a strong military medical component in the event there is another conflagration.

Mr. Speaker, we pledged to the men and women of Desert Storm that we would not forget, and we are not forgetting.

AMENDMENT TO ELIMINATE NEW TAXES FOR HIGHWAY IMPROVEMENT RULED NOT GERMANE

(Mr. COX of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COX of California. Mr. Speaker, the President and the administration and the Senate have all proposed legislation on transportation that would improve our highways and our transit without raising taxes. If we work together here in the House, we can achieve the same goal.

But the $153 billion transportation bill that is now under consideration in my Committee on Public Works and Transportation and that wil come to the floor of this House next week includes $25 billion in new taxes.

Earlier today, Mr. Speaker, I offered an amendment to eliminate those new taxes which are contained and referred to in section 104 of the bill. My amendment was ruled not germane and, as a result, there has been no recorded vote on the taxes included in this bill in subcommittee, nor will there be any such vote in the full committee. Now it appears that the Committee on Rules may not make amendments in order that would permit us to eliminate this tax.

Frankly, Mr. Speaker, we can disagree on whether we should raise taxes in the teeth of a recession, but we should not disagree on whether democracy should work. I urge my colleagues to insist on an up-or-down vote on the tax increases contained in this bill.

IN SUPPORT OF H.R. 2893 AND FREEZE RELIEF

(Mr. DOOLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOOLEY. Mr. Speaker, I rise in strong support of H.R. 2893, the Agricultural Disaster Assistance Act of 1991, which will be considered by this House today under suspension of the rules.

Included in it are provisions that will go a long way toward helping farmers and farmworkers in central California, which was hit by a devastating freeze last December.

The bill will make it easier for citrus growers and other farmers hurt by the freeze to receive emergency loans from the Farmers Home Administration.

The bill also helps farmworkers and their families by including more workers in an existing emergency grant program.

This bill is a step in the right direction for all California freeze victims.

Unfortunately, the next step—emergency funding for some of these programs—has been stalled by the White House.

In fact, White House pencil pushers maintain that there is no agricultural emergency in the San Joaquin Valley of California. They're dead wrong.

Seventy-three thousand farmworkers out of work because of the freeze know there is an emergency.

Hundreds of growers and packers whose operations were stopped cold by the killer frost know there is an emergency.

Children of farmworker families feeling hunger in their bellies know it, too.

What they don't know is why their country won't help them.

I urge my colleagues to support H.R. 2893. I urge the White House and this Congress to approve emergency funding for victims of the California freeze.

NICARAGUA'S SANDINISTAS RESIST PRESSURE TO RETURN CONFISCATED ASSETS

(Mr. LAGOMARSINO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAGOMARSINO. Mr. Speaker, last year, after Violeta Chamorro won the Presidency in Nicaragua in spite of the Sandinistas virtual control of the electoral apparatus, the Sandinistas decided they would not let their 10 years of totalitarian rule be for nought. Before the newly elected President could be sworn in, the Sandinistas undertook an unprecedented grab of houses, cars, and property that made the Somoza's rape of the state look like child's play.

The Sandinistas' confiscation of millions of dollars worth of property had as a cover the legislative decrees passed by the Sandinista-controlled assembly. Now that the Chamorro government's coalition majority in the assembly has passed legislation to overturn the Sandinistas' thievery, the Sandinistas are threatening a return to armed conflict in Nicaragua.

The Sandinistas are not proposing to fight for democracy or the needs of the poor, they are threatening to fight to protect their mansions and their Mercedes. If that was what the revolution was all about in Nicaragua, then the Nicaraguan people deserve better.

The government majority is the national assembly is trying to do what is right for the people of Nicaragua, and we in the U.S. Congress must express our support for the efforts of democratically elected legislators in Nicaragua striving to establish justice and fairness.

IS PRESIDENT BUSH COMMITTED TO ENDING APARTHEID?

(Mr. KENNEDY asked and was given permission to address the House and to revise and extend his remarks.)

Mr. KENNEDY. Mr. Speaker, the devious hand of apartheid continues to wrap tightly around South Africa. Over the weekend the world learned that the Government has spent $500,000 to support the political aims of Chief Buthelezi and the Inkatha movement. Today we learn that the Government has set up a $132 million slush fund, not to hasten the transition to democracy, but to continue the immoral policy of domination of the many by the privileged few.

The South African Government is playing the oldest trick in the book of Machiavellian politics, divide and conquer, and they are playing it with great cunning and brutality. The South African Government is not satisfied only with funding political rallies, but there is growing evidence that they are engaged in covert actions that have left over 5,000 dead. We have seen this

play before in Angola, Mozambique, and Namibia.

Mr. Speaker, it is clear that President Bush has shown a moral commitment to end sanctions against South Africa, but the question is whether he is morally committed to ending apartheid. If he is serious about supporting a transition to democracy in South Africa, then he must denounce this latest duplicity and must call an end to all forms of political action that undermine peaceful change.

NEGOTIATIONS BETWEEN UNITED STATES TRADE REPRESENTATIVE AND MEXICO WRAPPED IN SECRECY

(Mrs. BENTLEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BENTLEY. Mr. Speaker, on July 2, Ambassador Carla Hills negotiated a memorandum of understanding with Mexico on textiles. It is reported that it merely extends the existing agreement with a few minor changes. Yet, textile industry representatives were in Washington at the time of this negotiation working on the Hong Kong agreement and were not notified of the ongoing Mexico negotiation. It appears that it was consummated in such secrecy that many in the media still are unaware that it occurred.

My sources from inside Mexico report that the United States received the support of Mexico for our position in the Uruguay rounds—support which Mexico steadfastly has refused to give over many years. Now we are asked to believe that Mexico did a 180-degree turn for extension of an existing agreement—that they made no significant gain in exchange for their support.

If that is true, then one would have expected public announcements from the Trade Representative's Office of a major triumph this month. This is a very strange story which deserves explanation. The Congress—having given Mrs. Hills the power to negotiate the entire Mexico Free Trade Agreement without interference—should be alerted by the most recent action of her office.

□ 1250

IN SUPPORT OF THE FAMILY FARMER

(Mr. SANDERS asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. SANDERS. Mr. Speaker, this week or next the Congress will have the opportunity to take decisive action to save the family farm, to make certain that our dairy production does not end up resting in the hands of a few giant agribusiness corporations who in years to come will be able to control the supply and cost of milk products.

Mr. Speaker, our oil production and distribution is controlled by a tiny cartel of oil companies. Our banking system is increasingly being controlled by a handful of huge banks, and we see this process in industry after industry. The big get bigger; the little guy gets bankrupt and gets driven out of business.

In my view, if we are interested in saving the family farm, it is absolutely imperative that this body adopt a two-tier supply management system which will guarantee our family farmers a fair and stable price for their product. If we fail, and if the family farmer gets driven off of the land, the consumer will suffer. Our environment will suffer. In fact, the entire Nation will suffer.

Mr. Speaker, let us do the right thing. Let us stand up with the family farmer. Let us pass a two-tier supply management system which guarantees our farmers a fair and stable price for their products.

MFN TRADE STATUS FOR CHINA

(Mr. RAY asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. RAY. Mr. Speaker, this morning, reading the Washington Post, a disturbing article on China's campaign to evade United States textile quotas appeared in a prominent section of the paper. The facts highlighted in this article are appalling. For years, the Chinese Government has been making a concerted effort to avoid United States textile quotas by sneaking textile goods into the United States through a third country. Goods that were made in China are entered into the United States market with labels from Hong Kong, Lebanon, and Africa.

Therefore, it is not surprising that the textile industry in our country is fighting for its very survival. The decline of the industrial base of the U.S. textile industry is well documented and, in fact, confirmed by the inability of this industry to fully supply the troops in Operation Desert Storm.

Foreign imports supported by a well-intentioned but devastating free-trading philosophy are responsible for the death knell of about 50 percent of textile industries in the United States.

Just recently, the Department of Defense issued a report on the ability of the domestic industrial base of textile and apparel manufacturers to support mobilization efforts.

I hope, Mr. Speaker, and it is very important that there will be a bill that the Senate will pass in the very near future which preserves the rights of both the American people and the Chinese citizens in the national priority of that country.

INTRODUCTION OF FAIRNESS TO FANS ACT

(Mr. KOSTMAYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KOSTMAYER. Mr. Speaker, today a creeping economic and electronic elitism is taking away the average sports fan's ability to watch his favorite team on broadcast television.

Increasingly, pro sports teams are taking their games off local broadcast television. The average fan, whose area may not be wired for cable or may not have the extra income to afford premium channels, is losing his ability to follow the hometown team on television. And to add insult to injury, many of these same fans are the local taxpayers who are subsidizing glittering new stadiums that serve as the homes for local professional franchises.

Mr. Speaker, today I am introducing the Fairness to Fans Act of 1991. This legislation would require teams to make a portion of their regular season games available on local free TV.

Viewing professional sports should not be limited to the well off and the wired. Let us be fair to the fans, all of them.

INTRODUCTION OF THE AUGUSTUS F. HAWKINS MEDICAL ASSISTANCE ACT OF 1991

(Mr. DIXON asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. DIXON. Mr. Speaker, today I am pleased to introduce the Augustus F. Hawkins Medical Assistance Act of 1991. This measure, which is named in honor of one of this institution's most distinguished former colleagues, would provide $10 million in grants to medical and allied health care programs at historically black colleges and universities [HBCU's]. The Hawkins Act would strengthen the undergraduate and graduate medical and allied health care training programs at HBCU's.

The Hawkins Act bonds the mission to these schools with the urgent need to train a cadre of committed health care professionals to serve in economically disadvantaged and underserved urban communities. Program grants would be awarded to HBCU's that are making substantial contributions in medicine and providing opportunities for individuals who are underrepresented in medical and allied health professions.

There is a health care crisis in this country. Not only is the cost of adequate health care rising, making it more difficult for low-income individuals to receive adequate health care, but there are fewer health care professionals serving in low-income communities. Reports on the state of health care among minorities and low-income

individuals continue to show that they are at risk and likely to die from a wide range of chronic diseases such as high blood pressure, cancer, and diabetes. Moreover, densely populated urban areas are also the least served in the Nation.

Mr. Speaker, the Hawkins Medical Assistance Act is desperately needed to improve the medical and allied health care programs at HBCU's—the training ground for many of our future minority medical professionals.

FAILURE OF RAIL LABOR EMERGENCY BOARD TO ADDRESS RIGHT OF WORKERS

(Mr. VENTO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VENTO. Mr. Speaker, last week the conclusion to the 1991 rail labor strike occurred. I must say that I was very disappointed with the results. After Congress had voted in mid-April to create a new special Presidential Emergency Board because the Presidential Emergency Board had failed to resolve the differences between rail labor and management, once that new board had been reappointed and worked for 60 days and many issues were brought before it by rail labor, the intention was that they would be able to work out some of the differences that persisted.

The new Presidential Emergency Board determination last week rejected every single one of the proposals brought before it by rail labor in order to modify or change the January Presidential Emergency Board recommendations.

Every single one of the cases that they brought before it did not receive the positive attention or any consideration from the new board. Mr. Speaker, this action by the new board failed workers and the rights of the employees to have some voice in the collective bargaining process.

I think that such action really violates the spirit and the assumption that many of the Members of the House envisioned when we passed, in mid-April, the back-to-work order concerning rail labor strike. Members of this House reasonably assumed that there would be some opportunity to modify this initial January board finding. We understood that it was a bad settlement in the middle of April, and it is really a worse settlement for rail labor today in July 1991.

Mr. Speaker, I would hope that this at least points up once again that the Railway Labor Act is not working. The fact of the matter is that we have to do something fundamental to address and restore some balance in that collective bargaining process. After 3 years of no agreement, today we note that railway workers end up without a voice, without recourse in terms of the determination and shape of the employment conditions that they must work under.

IN SUPPORT OF ISRAEL'S POSITION ON MIDDLE EAST PEACE PLAN

(Mr. SCHUMER asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. SCHUMER. Mr. Speaker, as we move toward the possibility of a peace conference in the Middle East, the State of Israel has shown caution, caution that in my opinion is very justified. After all, the administration's view that Syria and Israel are sort of equivalents, in my judgment, just lacks history. It lacks any knowledge of what has happened in the region.

To ask Israel to give up the Golan Heights, which Syria will do in exchange for a promise that she will not attack Israel again—after she has time and time again—is sort of like saying to an enemy of 40 years, "I will give you the hammer I have in exchange for a promise you won't hit me over the head with it."

Rather than pressuring Israel regarding the West Bank and Gaza, the administration should pressure Syria regarding Lebanon. Rather than pressuring Israel to permit nearby legitimized Palestinian representatives, the administration should pressure Syria to once and for all finally recognize Israel.

As we head toward a peace conference, let us remember that rather than pressuring U.N. participation at the conference, the administration should be insisting that the United States rescind the resolution equating Zionism with racism.

As we head toward a peace conference, let us remember who we are sitting down with. On the one hand a longstanding democratic ally, and on the other hand a dictatorship with a history of treachery and belligerence toward the United States and toward Israel.

BUREAU OF LAND MANAGEMENT AUTHORIZATION FOR FISCAL YEARS 1992 THROUGH 1995

Mr. GORDON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 197 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 197

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 1(b) of rule XXIII, declare the House resolved into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1096) to authorize appropriations for programs, functions, and activities of the Bureau of Land Management for fiscal years 1992, 1993, 1994, and 1995; to improve the management of the public lands; and for other purposes, and the first reading of the bill shall be dispensed with. After general debate, which shall be confined to the bill and the amendments made in order by this resolution and which shall not exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interior and Insular Affairs, the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Interior and Insular Affairs now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, each section shall be considered as having been read, and all points of order against said substitute for failure to comply with the provisions of clause 7 of rule XVI are hereby waived. Debate on the amendment offered by Representative Synar of Oklahoma, or his designee, printed in the report of the Committee on Rules accompanying this resolution, and all amendments thereto, shall not exceed one hour. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House, and any member may demand a separate vote on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 1300

The SPEAKER pro tempore (Mr. MCNULTY). The gentleman from Tennessee [Mr. GORDON] is recognized for 1 hour.

Mr. GORDON. Mr. Speaker, during consideration of this resolution, all time yielded is for the purpose of debate only. At this time I yield the customary 30 minutes, for the purpose of debate only, to the gentleman from Ohio [Mr. MCEWEN]. Pending that I yield myself such time as I may consume.

Mr. Speaker, House Resolution 197 is an open rule providing for the consideration of H.R. 1096, the Bureau of Land Management authorization for fiscal years 1992 through 1995.

The rule provides 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Interior and Insular Affairs Committee.

House Resolution 197 makes in order an Interior Committee amendment in the nature of a substitute which is to be considered as an original bill for purposes of amendment. Clause 7 of rule 16, prohibiting nongermane amendments, is waived against the substitute.

The rule additionally provides that debate on the Synar grazing fee amendment as printed in the report accompanying this rule and any amendments to the Synar amendment will be limited to 1 hour.

Finally, the rule makes in order one motion to recommit with or without instructions.

Mr. Speaker, the Bureau of Land Management was established by the Federal Land Policy and Management Act of 1976. The BLM is responsible for the conservation, development, and management of surface and mineral resources on approximately 270 million acres of public land. The BLM is also responsible for the leasing and supervision of mineral rights on an additional 300 million acres on which the Federal Government has mineral rights.

BLM lands are economic, scientific, recreational, and cultural assets. The BLM is required under the Federal Land Policy and Management Act to develop management plans for these public lands which combine the needs of private commercial use with those of public recreational use. H.R. 1096 improves upon this by updating the management of areas of critical environmental concern, improving planning requirements and professional qualifications of BLM officials, and prohibiting the subleasing of grazing allotments.

Mr. Speaker, Chairman MILLER and Chairman VENTO should be commended for their hard work and insight in crafting this comprehensive multiyear authorization bill. This is an open rule and I, encourage my colleagues to support House Resolution 197.

Mr. MCEWEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the gentleman from Tennessee [Mr. GORDON] has explained, the House has before it a proposed open rule. It is worth noting that only such open rules allow for the unfettered and free debate which the American people rightfully expect from this body.

I would like to take this opportunity to congratulate the chairman of the Rules Committee, Mr. MOAKLEY of Massachusetts, for bringing this open rule before us. Acknowledgments also should go to Interior Committee Chairman MILLER of California and the chairman of the Subcommittee on National Parks and Public Lands, Mr. VENTO of Minnesota, for requesting that the rule be open so that the House can be heard on the many issues included in this bill to reauthorize the functions of the Bureau of Land Managment for the next 4 years.

And certainly there is much about this bill that deserves debate, and hopefully correction, here on the floor. Because the bill as it now stands is deeply flawed and strongly opposed by the administration.

Mr. Speaker, ever since the Federal Land Policy and Managment Act of 1976, the emphasis has been on multiple use and sustained yield when it came to managing much of the lands that belong to the people. That's just common sense. Well, as Will Rogers once observed, "common sense ain't very common."

This bill, in its present form, changes the longstanding commonsense policy of multiple use and sustained yield. If I may quote from the statement of administration policy:

H.R. 1096 would give unwarranted preferential consideration to a few selected resources on public lands. If the bill is presented to the President in its current form, the Secretary of the Interior would recommend a veto.

Mr. Speaker, most of us in this Chamber know the Secretary of the Interior personally from his service in the House. We know him to be a thoughtful leader. I would submit that for him to take such a strong stance indicates that this bill is indeed deeply and fundamentally flawed. Regardless of the name that will be placed upon this legislation—peace, freedom, democracy or the environment—that does not mean that we surrender our obligation to taxpayers to manage their lands in a way that will provide some access and use by legitimate interests within our society.

Rather, we need a balanced approach, an approach that incorporates both a healthy concern for the environment with a healthy concern for the livelihoods of Americans.

Instead, by introducing new bundles of redtape and regulations, this bill would further complicate various Federal procedures and frustrate Americans trying to fulfill a legitimate need in our society—be it for transportation, minerals, grazing lands, or whatever. And Mr. Speaker, I submit that Americans are desirous of a Federal Government that is less frustrating, not more.

For all these reasons, it is worth noting that all 16 of the Republican members of the Interior Committee have joined with the administration in opposing the bill in its present form. And all of them have pointed to this central and fundamental problem: The bill as reported would radically transform the BLM's management approach from one based on the principle of multiple use of public lands to one based on a special, single use—or no use at all.

It almost appears that the Democrat majority on the committee is saying that all use on public lands is bad; that jobs are bad; that high unemployment is good; and that mountains of redtape serve the public interest.

There is another provision in the bill that deserves special mention because it goes against the very grain of American democracy. Presidential elections are staged in this country so that we might have a national debate and a national decision about which priorities to pursue. Whoever wins the office of the President is then to take the mandate of the people and implement that vision. This is done by selecting like-minded Cabinet members to run the agencies, with the help of people he or she chooses, on the basis of their holding the same values of the President and the majority of the people. Most Americans learned this in civics 101. But, the tyranny of the majority on this committee seeks to deny the Secretary of the Interior the right to appoint his own people; instead they insist on a permanent bureaucracy that would be more or less impervious to the policy directions of the Secretary and the President. And as every Member of this body knows, few things are as immovable as an entrenched bureaucrat who is not accountable to the public. Conversely, the President like every Member of Congress, is accountable to the public through the mechanism of elections.

Mr. Speaker, I cannot sum up the problems with the bill any better than the 16 Republican members of this committee did in their dissenting views in the bill report. They noted that this bill is equally, if not more, controversial than its predecessor, H.R. 828, which came to a political dead end.

As they conclude in their report:

If the majority were willing to work closer with the minority and the administration to reach something closer to a consensus, there would be a good chance of enacting a reauthorization bill into law. However, since there has been little meaningful attempt at consultation and compromise, we are confident that this legislation will once again be merely a long and futile political exercise and will not become public law.

Nonetheless, there remains hope, Mr. Speaker. We can still achieve a consensus. We can still pass a bill that will become law. That remains possible because we have an open rule that will allow the issues I have mentioned, and many others, to be debated. All that is necessary is a willingness on behalf of the majority party to compromise with this administration.

So, I conclude, Mr. Speaker, by asking my colleagues to support this fair rule, and seek consensus and compromise during debate.

□ 1310

Mr. GORDON. Mr. Speaker, I reserve the balance of my time.

Mr. MCEWEN. Mr. Speaker, I yield 5 minutes to the gentleman from Alaska [Mr. YOUNG].

Mr. YOUNG of Alaska. Mr. Speaker, I rise in strongest opposition to this bill as presently structured, and urge its rejection by the House.

This is a feel good bill. It makes those without any BLM land in or near their districts feel good to be voting for a bill that is supposed to improve management, but it will never become law. A similar measure last Congress was so bad the other body didn't even take it up. And this year's bill goes even further to appeal to our feel good instincts. Even if the other body acts, the President strongly opposes it on the basis of its radical changes in the

management of our Bureau of Land Management lands in the West. The Secretary of Interior has recommended a veto. And most of the amendments being offered today make it even worse than it already is.

This bill is not necessary. The BLM will operate without this bill, and is quite happy to keep operating the way they have been. So the authors of this bill will not even get minor changes in BLM's operations. To those who want to feel good, waste the time of this body and the money of the American taxpayer, I say "half a loaf is better than none at all." Maybe next time this bill comes up, you will remember that.

I could go on and on about this bill's faults—there is plenty to go on about. From buffer zones to restricting public access to wreaking havoc in rural America, this bill is flawed.

But I just want to take some time to discuss one of the major flaws as it relates to Alaska. The provisions of the bill dealing with public rights of way in Alaska and the West is a reversal of over 100 years of law dealing with how local governments get access across BLM lands for building roads or trails. BLM lands are public lands—for the public—they are meant to provide access for the public. Instead, this bill makes access more difficult for local folks. Alaska's Governor, Walter Hickel, has written the committee concerning his views on restricting access across BLM lands in Alaska, and I to insert his letter into the RECORD at this point.

STATE OF ALASKA,
Juneau, May 20, 1991.

HON. GEORGE MILLER,
Chairman, House Committee on Interior and Insular Affairs, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to provide additional comments on H.R. 1096, which authorizes appropriations for programs, functions, and activities of the Bureau of Land Management (BLM).

In particular, the State of Alaska has concerns over Section 8 Management of Lands and Public Participation. That section amends existing law to direct the Secretary, in managing public lands, to take any action necessary to prevent impairment or derogation of the resources and values of adjoining conservation system units (CSU).

The State believes that the proposed Section 8 is unnecessary in Alaska from an environmental perspective, and would affect an unwarranted intrusion of national park and wildlife refuge management into the multiple use regime of the Bureau of Land Management.

As you know, the Federal Land Policy and Management Act (FLPMA) already gives the BLM broad authority to protect lands under its jurisdiction. Further, in Alaska, the Alaska National Interest Lands Conservation Act (ANILCA) protects vast areas in conservation system units.

These units represent Congress' efforts to preserve entire ecosystems. Boundaries were generally drawn along hydrographic divides with a view toward creating clear cooperation between CSU's and adjoining lands.

Section 8, as proposed, would effectively extend CSU management practices beyond relevant boundaries, with no further scrutiny or consideration by Congress. We believe that such fundamental changes in land management practices should be properly considered by Congress.

An amendment, added in subcommittee and entitled "Rights-of-Way for Oil, Gas, and other Pipelines," substantially changes the regime for grant and renewal of rights-of-way for oil, gas, and fuel pipelines. These changes are being offered absent of any demonstration of need of greater public purposes. Currently, such rights-of-way are being administered capably under the auspices of the Mineral Leasing Act which adheres to the NEPA process and adequately protects the public interest. Under this amendment, however, administrative burdens on pipeline rights-of-way are increased by placing them under the additional jurisdiction of FLPMA. Additionally, it raises serious questions about which statutory regime shall govern an application for renewal of an existing right-of-way.

For these reasons, the State of Alaska would like to go on record as vigorously opposing Section 8, and the pipeline rights-of-way amendment of H.R. 1096. Thank you for this opportunity to comment.

With best regards.

Sincerely,

WALTER J. HICKEL,
Governor.

The Governor has also written regarding the issue of managing BLM lands next to parks and other protected lands like those areas. In Alaska, we have parks larger than many of the States in the East. We have national wildlife refuges larger than West Virginia, or South Carolina. The reason they are so big is that Congress wanted to protect the lands inside, and included big buffer zones around them back in 1980. This bill proposes to expand them even further, and Alaskans will not stand for it.

I realize that most of the Members in the House do not have any BLM lands in their districts. But I urge you to listen today to those of us who do. We will win hands down on the merits, but that does not account for much when you are stacked up against feel good votes.

In closing, I want to quote from the Interior Committee dissenting views on this legislation and point out to the Members that this bill is a "legislative Rosemary's Baby—flawed at conception and monstrous at birth". Vote against this monstrosity today, and do it on the merits.

Mr. Speaker, I might suggest something else. It is time that this Congress and those on the liberal side of this aisle recognize what is happening in America today. We have over 500 million acres of land owned by the Federal Government that is nonproductive. It pays no taxes. It supports no local communities, no counties, no schools, no hospitals, no police areas. It supports nothing. It is owned by the Government and does nothing.

For whom? Our country was built on private held lands, and this Congress day after day, year after year, for the last 20 years, has taken chunks and chunks and chunks and put them in nonproductive qualifications. That is land that is not providing for our people. It is taking jobs away. It is taking jobs away, and it is not creating new jobs.

We are importing oil. We are importing power from Canada and from Mexico. We are importing, and we are importing, and we are importing, and we wonder why we have a trade deficit.

Five hundred million acres, more than the national debt set aside, and this Congress keeps doing it.

Mr. Speaker, might I suggest respectfully that we here on this side of the aisle mostly have got to create jobs. Where is our economic program? Where is the President with his economic programs? Every time you pass a bill like you are passing today, you are taking jobs away from people.

I had a union leader in my office today who came in to me from Oregon to talk about the spotted owl. Their union membership went from 22,000 in 2 years to 14,000. Those jobs are lost. Those jobs shall never return, again, because we set aside an area of land, very frankly, for a little bird.

We are now saying as to the BLM land that we are going to make it better managed but there is not going to be public access. We are going to have buffer zones so we can create larger parks. You cannot take and have that multiple-use concept, and I say, Mr. Speaker, and I say to the Members of this House, it is time that we say "no more." That land belongs to all the people, just not the elitists, just not the specialists, just not those that have the money or the time to use them, but all the people.

It also belongs to the people who live there. You are taking away their rights.

Mr. Speaker, may I suggest respectfully this country cannot and will not buy socialism, and it will not buy communism, but it has bought environmentalism and consumerism. But if you look very closely at what is occurring, they parallel along the two previous-mentioned words.

Mr. GORDON. Mr. Speaker, I want to thank the gentleman from Alaska for his endorsement of the rule.

Mr. MCEWEN. Mr. Speaker, I yield 4 minutes to the gentlewoman from Nevada [Mrs. VUCANOVICH].

Mrs. VUCANOVICH. Mr. Speaker, I rise in support of the open rule, but in strong opposition to the Synar amendment and the Regula substitute, both to be offered later today. I understand the position of my friend from Ohio and can empathize with him. If I were the ranking member of the Interior Appropriations Subcommittee, I, too, would be sick and tired of having my appropriations bill used as the annual battleground for the war on grazing fees.

I appreciate Mr. REGULA's efforts to negotiate this situation. However, the

fact of the matter is, half of an arbitrary number is still an arbitrary number, and thus remains unsatisfactory.

Mr. Speaker, we recently had this same debate. There are not many things left unsaid. However, I would like to make one point clear, any increases in the grazing fee will drive many of my constituents out of business.

During the debate last month, there was a lot of talk about the just released GAO report, the supposed lynchpin of Mr. SYNAR's argument. We are all very aware of the numbers game. Statistics and studies can tell you anything you want to hear. Many of my constituents were involved in assisting the GAO staff who were sent to learn the facts. According to my constituents, these staffers were not in the least bit knowledgeable about the cattle industry.

Further, by these ranchers own analysis, they believe these staffers were sent to Nevada with marching orders, and had their minds made up before they got to Nevada. As the president of the Nevada Cattlemen told me, "neither one understood the most elementary thing about cattle ranching or range management." Once again, we have a GAO report not worth the paper it is printed on.

Another point, Mr. Speaker, we heard a great deal about the Grace Commission report in last month's debate, and probably will hear more later today. It is interesting to note this report actually has two suggestions about grazing. Its number one suggestion is to sell the public lands historically used for grazing purposes to the ranchers who use them. I quote:

> The Task Force concluded that transfer of the rangeland to private ownership could save an estimated $93.1 million over 3 years.

That's right, Mr. Speaker, private ownership will save the Government money.

This is especially interesting, considering that the proponents of fee increases have been liberally quoting the Grace report.

Another point, Mr. Speaker, after last month's debate, I again went to my constituents to ascertain if there is any room at all for increases in the fee.. The answer was a resounding "no." "Any increase will kill us."

The amazing irony of this whole debate is that many of the proponents of increased fees are the same Members who constantly beat the drum for the small businessman. Yet, 85 percent of the permittees in Nevada are family-owned small businesses, most of which will be gone after fiscal year 1995 should this proposal become law. If you are truly prosmall business, where are you now?

But the most cruel and exploitative irony comes at the hands of the many Members of this body who trumpet their stalwart support for native American programs for self-sufficiency. The very same Members, who, at the same time, vote to increase grazing fees.

By far, some of the most successful off-reservation businesses are ranching operations. In fact, Native Americans run approximately 4 percent of the cattle grazed in Nevada on public land. These pronative American Members of the House certainly talk a good game, but where are they when it comes to the vote?

You are simply killing us. I urge defeat of the Synar and Regula amendments, and of the entire bill.

Mr. GORDON. Mr. Speaker, for purposes of debate only, I yield such time as he may consume to the gentleman from Minnesota [Mr. VENTO], the chairman of the subcommittee.

Mr. VENTO. Mr. Speaker, I rise in support of the open rule on H.R. 1096.

□ 1310

This bill reauthorizes appropriations for programs, functions, and activities of the Interior Department's Bureau of Land Management.

During the last Congress, the House passed such a bill, but the Senate failed to act on it. The BLM is an important agency. It has full management duties on more than 270 million acres of public lands. It also has the responsibility on millions of acres of other lands that are wholly or partially the property of the American people. The property of the American people, Mr. Speaker, not private lands. Our public lands should have a mandate that expresses the wishes and concerns and serves the needs of all the American people.

The basic statutory authority for BLM's activities is the Federal Land Policy and Management Act of 1976, or FLPMA. What that act established was a system of periodic reviews and reauthorizations, to facilitate congressional oversight and to provide the basis for the appropriation of the funding actually needed for the BLM to carry out its diverse and difficult responsibilities.

The last authorization for BLM expired at the end of fiscal year 1982, nearly 9 years ago. Since then, funding for BLM has continued only because each annual appropriations bill was considered under a rule waiving the point of order that otherwise would lie against this unauthorized spending. This is an undesirable situation that should not continue.

The problem is not new with reauthorization, Mr. Speaker, the problem is one that is ongoing through the decade of the eighties. The reason that an authorizing bill has not been able to be successful is because of some of the contentious issues that really are going to be debated on this House floor today. Frankly, I think we ought to leave the rules apply. Let the House rules prevail and proceed with the consideration and enactment of an authorization for BLM so that important programs and responsibilities for BLM can have a proper authorization for appropriations.

My task as a subcommittee chairman as is the task of the Committee on Interior and Insular Affairs, is not to eliminate all controversy concerning many of the issues that are brought before the committee, but to provide deliberative forum in which these issues can be brought up in an orderly way. The rule today provides that opportunity. I cannot assure the House that there will not be any controversy. There will. These are major, important issues that deal with grazing fees, that deal with the management of 270 million acres of public lands. The fact of the matter is that the mandate for the BLM has changed in the last 50 years.

In 1976 an important law was passed, as I said, known as FLPMA, which broadened that mandate and provided a degree of professionalism that was not known in the BLM before that date. I want to comment that I think the agency is making considerable progress. In 15 years, since that law passed, I think there are some shortcomings and there are some signs of wear evident with regard to the law, and there has to be some modifications and repair to it.

The bill before Members today, some would suggest, is a very radical change in terms of what the mandate of the BLM is; the truth of the matter is that it is not a radical change. It still maintains the multiple use sustained yield concept inherent in the law. That multiple use sustained yield concept embraces the preservation and conservation in some instances of special resources which are located on BLM lands. This bill tries to address some of those concerns and some of the weak points that have occurred within the concept of this law in 15 years.

If we wrote these laws perfectly, we would not have to come back and try to modify them. We could do our work, and we would be all done. We would never have to modify them again. We know that is not the case, that there are many events that have occurred since 1976 that necessitate some reasonable, reasoned, and measured changes in terms of this law.

Of course, this open rule will provide for the debate of it. Controversial, yes. Are they important issues? Yes, I believe they are. I think they are issues that should be addressed by the Senate. I hope the Senate will not duck this issue again and provide Members no opportunity for authorization, because I think the House may be forced, then, to assert the rules, and prevent any appropriation of BLM dollars without the necessary authorization. That surely would be, I think, to the disadvantage of all that are involved within this particular issue in providing the management that public lands deserve.

Nevertheless, I think we get to a point where we have to do that. I hope we can move ahead today, and I know it will evoke debate. I do not apologize for that. I think the committee did a good job in terms of hearing this issue the last 3 or 4 years. Clearly this lack of an authorization since 1982 has been a problem, long before I assumed the subcommittee chairmanship on National Parks and Public Lands. The reason that that is the case is because there has been some strident controversy concerning this particular issue. I think we ought to recognize that up front. Much of the controversy, I think, is really based on those that want to use the lands for only a particular purpose. Some people look at a piece of public land, and all they see is a place for cows to graze. Or some look at trees, and all they think is that tree should be eliminated or put to use. Others look at it as a source of mineral resources. However, I think many people in the country who share an interest in public land, recognize those are important qualities, the use of some of those raw materials, from the land, but we see the type of damage that can occur by misuse and abuse.

These lands should be run by the BLM, not the private entities and individuals that extract resources from them solely. I think there ought to be a voice of reason, a voice of not just liberals, but a voice of conservatives in terms of conservation, and reasonable and economic use of these lands so they serve the needs of all the American people. This rule will provide Members, Mr. Speaker, with the opportunity to debate this issue fully. I hope the House sustains the actions of the Committee on Interior and Insular Affairs.

Under this open rule, we expect some amendments, notably including one on grazing fees similar to that added to the appropriations bill last month. Because the House has debated this proposal recently and the subject could well provoke debate without an end; the rule appropriately limits debate on that subject to 1 hour, which I hope would be adequate.

There will be an amendment by the bill manager to delete one section of the reported bill, in response to another committee's indication of a possible claim of a jurisdictional interest.

Mr. Speaker, some parts of this bill evoked debate in the Interior Committee, and this open rule will let the House work its will on those matters and the bill. Then the burden properly will be on the Senate to act, to complete this reauthorization so that funding for BLM can continue.

The SPEAKER pro tempore (Mr. MCNULTY). The gentleman from Ohio [Mr. MCEWEN] has 16 minutes remaining, and the gentleman from Tennessee [Mr. GORDON] has 21 minutes remaining.

Mr. MCEWEN. Mr. Speaker, I am happy to yield 4 minutes to the gentleman from Montana [Mr. MARLENEE].

Mr. MARLENEE. Mr. Speaker, I rise in opposition to the bill H.R. 1096. It clearly aborts a balanced management policy.

The BLM was created in 1946 when it was merged with the existing General Land Office and Grazing Service. From a hand full of employees in 1946 it has grown to over 8,000 employees today. That in itself must tell you something about the necessity of multiple use mandates that continue to come down. Even in 1946 the BLM was required to manage its lands by using the often conflicting mandates of hundreds of laws passed by the previous 150 years of Congress.

Today, if we vote for this legislation we will vastly increase the number of employees and the costs involved to deal with resulting litigation.

Mr. Speaker, H.R. 1096 will clearly be one of the most controversial bills the Interior Committee will bring to the floor during the 102d Congress. It was opposed by all committee Republicans and Secretary Lujan has recommended a veto if it reaches the President's desk in its current form.

Instead of litigation legislation what we need is a bill that simply reauthorizes the BLM as this legislation originated in the 101st Congress when it was simply an eight line reauthorization. I would have no objection if it were even expanded to specify that resources would be harvested in an environmentally sound manner and that recreation would be promoted—all of which the present BLM Director says are high priorities.

Modify — modify — modify — that's what the liberals did with our taxes—now they want to modify—modify—modify the management of BLM. It's called micromanagement. Don't be misled by those who say changes are necessary. Today BLM must comply with newer and more complex mandates such as the Endangered Species Act, Federal Land Policy and Management Act and the Clean Water Act which assure that the agency follow a clear stewardship program.

Before I talk about the substance of the bill in general debate. Let me say a few words about the process by which this bill was developed. Eighteen pages of this bill—more than half of it—were created after hearing.

Finally, the bill is vigorously opposed by the Bush administration. According to the statement of administration policy and I quote:

If this bill is presented to the President in its current form, the Secretary of Interior will recommend a veto.

If it is the will of this body to increase the regulatory stranglehold on public land management—a stranglehold that could choke the economy—then vote for this bill before us today.

If it is the will of this body to vastly increase the cost of running the BLM, then vote for this bill.

If, indeed the Members of this body wish to enmesh the BLM into a regulatory gridlock of the type and nature of the Forest Service and the U.S. Fish and Wildlife Service, then by all means vote for this legislation.

We stand here ready to vote on wise use, a balanced conservation policy, lower costs and the return to the treasury of receipts from the harvest or renewable resources and the commitment to recreation.

But unfortunately, the only way to achieve these goals is to vote no on this legislation.

I urge my colleagues to follow the lead of the administration, millions of Americans who belong to groups that used public lands, and every Republican member of the Interior Committee and vote against H.R. 1096.

□ 1330

Mr. GORDON. Mr. Speaker, I just want to thank the gentleman from Montana [Mr. MARLENEE], as well as our colleague and earlier speaker, the gentlewoman from Nevada [Mrs. VUCANOVICH] for her endorsement of this rule.

Mr. MCEWEN. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Wyoming [Mr. THOMAS], a distinguished member of the committee.

Mr. THOMAS of Wyoming. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I rise in support of the rule for H.R. 1096. This is a good rule. Unfortunately, it is a bad bill. I rise with a certain amount of trepidation. My good friend, the chairman, has indicated that his is the voice of reason on this issue, but I do not agree with his position.

This bill has come to us with relatively little debate in the committee, but it will have a very long-lasting effect on my State. Fifty percent of Wyoming belongs to the Federal Government and in many States it is much higher than that. Much of that 50 percent, which equals nearly 50,000 square miles, is managed by the BLM.

Let me give you a little idea of the character of the land that we are talking about here today. This land is not a national park. This land is not a scenic river. It is not a wilderness. The BLM lands we are talking about here have not been withdrawn because of a special or unique character, as have national parks or the forest reserves. These lands were excess, or in fact residual lands that were left in the Western States after homesteading was completed. They were assigned to the BLM and its predecessor agency to be managed pending disposal, as a matter of fact. That charge was later changed to be managed in multiple use.

Multiple use means providing a balance among the compatible uses that are available. That includes hunting, fishing, recreation, oil and mineral production, livestock grazing, and other uses.

The balanced use of these resources is vital to the economic future of Wyoming, Wyoming communities, and Wyoming jobs. I suppose a balance is subjective. It is certainly viewed differently by those of us who live on and in and among the public lands, as opposed to those who do not.

But I would say that I think often we are more protective of those lands than others in terms of preserving their character.

The BLM under its present charter has done a good job of seeking to balance the use of the public lands. This bill moves abruptly away from that balance with congressional micromanagement. Let me point out a couple of areas that I think are examples. One is the establishment of buffer zones. This idea has been rejected time and again because it simply says that we are going to extend the single purpose management of unique areas into multiple use. When wilderness areas, for example, were established, it was clearly determined that the remainder would be used for multiple use. They come into this bill through the back door called area of critical environmental concern.

The second is the political establishment of grazing fees. Mr. Speaker, there is absolutely no call for a political move to make BLM lands single-purpose use by raising the fees beyond those that are economic to carry on. Rather than utilizing a reasonable formula, which is now the case, the bill establishes politically a level.

Mr. Speaker, this bill changes the long-term practice of multiple use. I support the rule and oppose the bill.

Mr. MCEWEN. Mr. Speaker, I am pleased to yield 4 minutes to the gentleman from New Mexico [Mr. SKEEN], a member of the Appropriations Committee.

Mr. SKEEN. Mr. Speaker, I endorse this rule because it is an open rule. I oppose the grazing fee, the inclusion of the grazing fee language amendments in the substitute thereof.

You know, I approach this situation from a little different perspective. I have been in the grazing business for 40-some odd years. After listening to the debate that we had previous to this on the Interior Committee appropriations, I can barely recognize the industry that I thought I had grown up in as it was characterized by those who are seeking to raise grazing fees.

I know this is a good vote because environmentalists will go for it. The taxpayer organizations will go for it because they do not understand it.

Let me tell you what happened. When this country was developing, every State that come into the Union was ceded their land surplus by the Federal Government until it came to the 11 Western States that were west of the 30-inch Rainfall Belt. Why is this 30-inch Rainfall Belt so important? Because you cannot farm or raise a crop unless you have 30 inches of rainfall a year. So western lands, this vast area, was divided up under a new management aegis because there was so much of it and nobody could use it because there was no base water. So we came up with a grazing plan that would close down the open grazing system that was extant before the turn of the century, and that was if you were a grazer and you owned a piece of private lands that was adjacent to some of the public land and that you controlled the base water, then you could be granted a permit, not a lease, but a permit to graze on Federal lands that did not have any water, or was not fenced, if you, the permittee, would put in the fences, develop the water and manage the land for the Federal Government and yourself and keep it in as good condition as possible. It was a good system. It worked. But grazing fees have come under attack because very few people understand how they evolved, much less care, particularly those east of the 30-inch Rainfall Belt, because all western lands belong to all of us in the United States.

We have now the Bureau of Land Management that is going to manage those lands. Well, that is baloney. The Bureau of Land Management had never managed any western lands, unless they were in some kind of specialized situation, particularly not grazing lands.

After having grazed for 40 years, I will tell you how many times we have had BLM managers come to our particular operation—zip, none.

So back in 1967 I decided that I did not need to not only finance the operation and the improvements on public lands as well as my own, so I bought the public leases because they raised the moratorium on those sales and allowed that land to be sold. I bought the Federal Government out and I bought the State land office out of it, because we did not need three managers on one little four-member family operation. I am the fourth generation that has grazed on this particular plot of land. My son is the fifth. We own every inch of it, thank God, because I knew that someday, some Member of Congress or some member of the State legislature, was going to take a look at this and say, "Boy, what ripoff these guys are getting."

Well, I will tell you what. In 40 years of business, it is marginally profitable at very best, but it is a good way to live. You are your own boss. You come and go as you please, but you are still basically responsible for the improvements and the well-being of a parcel of land, and that is a very serious responsibility and taken very seriously, because if you do not take care of that land, there is no place else for another generation to go to use that for extracting a resource, or making a living.

Mr. MCEWEN. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Ohio [Mr. REGULA], the ranking member of the Subcommittee on Commerce, Justice, State, and Judiciary, of the Committee on Appropriations.

Mr. REGULA. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, I will be offering an amendment by way of a substitute for the Synar amendment today.

I just want to get some facts out so that Members can be thinking about it. What I do in my amendment is to say that the grazing fee should be fair market value, not to exceed an increase of 33 percent in any one year. In other words, it could be less. It is fair market value, and that is defined by a formula that the BLM applies.

□ 1340

Under the proposal that I have, the ceiling would go the first year from $1.97 to $2.63. The Synar amendment would go to $4.35. So you can see this is a more modest approach.

I would point out that in the past 10 years Federal lease fees are down 15 percent, private leases are up 17 percent.

So that tells you that there is a disparity here in what the fair market value would be.

I would also point out—and we fund the Forest Service through our Subcommittee on Interior Appropriations—that it estimates that it spends $3.86 per animal unit to manage the land for which it is receiving $1.97.

That does not make sense that we are spending more tax dollars than we are receiving. I recognize the multiple-use factor. But I think it is something you have to consider.

Another fact I would leave with you, and that is that of all the livestock producers, only 2 percent are benefiting from grazing on Federal lands. Even if you take the 16 Western States, only 7 percent of the cattle producers are actually using the Federal lands for grazing purposes.

A report from the Colorado State University pointed out that in a thousand subleases, that is, where the rancher or the farmer will lease the Federal lands for grazing and then, in turn, sublease them, that they average $7 for the sublease even though they were paying the Federal Government $1.97.

So it does reflect the fact that we are not getting quite fair market value in the returns that we are getting.

One last item: We asked the Bureau of Land Management, and they are fa-

vorable to the grazers, in my judgment, to analyze what would happen under the language that I propose. Their estimate is that there would be no dropoff in AUM's under the numbers that would result from my substitute but there would be a substantial dropoff under the numbers that would be required under the Synar amendment.

What I am going to propose is a reasonable approach to getting a fair market value for the taxpayers who do, after all, own this land, and yet will allow the cattle producers to continue operating the land, give us the benefits of multiple use, which is good for sportsmen and many others who use the land, and would be fair to everyone concerned.

Mr. MCEWEN. Mr. Speaker, I yield the balance of my time to the gentleman from Arizona [Mr. KYL].

The SPEAKER pro tempore (Mr. MCNULTY). The gentleman from Arizona [Mr. KYL] is recognized for up to 2 minutes.

Mr. KYL. Mr. Speaker, I rise in opposition to the Synar amendment and the Regula substitute.

Raising grazing fees to $8.70 per animal unit month [AUM] as proposed by Synar, or $4.87 per AUM as proposed by Regula, will not raise revenues for the Federal Government. What it will do is drive cattlemen off of public lands altogether. In many cases, it will put them out of business.

Let me address for just a moment the contention that the Synar amendment would set grazing fees at market levels. That is just not not the case in Arizona.

I spoke recently with an individual who runs a cattle operation on his own private land in Arizona. For $6.50 per AUM, he provides everything—from fencing and water, to salt and feed, to herding within the operation—everything.

Cattlemen who graze on public lands get none of that. They have to do their own fencing. They construct their own water containments which, I might add, are also used by wildlife. They move their own livestock. Everything. And then they pay the grazing fee to the Government on top of that.

The amendments do not peg grazing fees to market rates. It does just one thing: It targets one of the multiple uses of public lands for elimination. And ironically, instead of increasing revenues for the Treasury as proponents contend, it will cost the Treasury as much as $1 billion per year by reducing economic activity throughout the West.

It is a lot like the luxury tax the Congress passed last year in order to raise revenues to the Treasury. Sock the rich yacht buyers, was the theory. Well, even they didn't want to pay a 10-percent surcharge; they stopped buying boats, boat companies stopped making boats, and workers stopped working and paying as much income tax—and, in some cases, cost the Government money through more unemployment compensation. So, instead of more tax revenue there is less; tens of thousands are without jobs, and a new yacht industry has started up off shore. If the purpose of the Synar amendment is to reduce revenue to the Treasury and put people out of business and out of work, it will do that. It is obviously not a good idea.

We need balance on our public lands. If there is concern about too much grazing, the number of permits or AUM's can be reduced and additional management practices required. That makes more sense than just forcing ranchers off the land by raising the fees so high they simply cannot afford to be there.

Mr. Chairman, I urge opposition to the amendment and the substitute.

Mr. GORDON. Mr. Speaker, I have no further requests for time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to House Resolution 197 and rule XXIII, the Chair declares the House in the Committee of the Whole on the State of the Union for the consideration of the bill, H.R. 1096.

The Chair designates the gentleman from North Carolina [Mr. LANCASTER] as chairman of the Committee of the Whole and requests the gentleman from Kentucky [Mr. MAZZOLI] to assume the chair temporarily.

□ 1345

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1096) to authorize appropriations for programs, functions, and activities of the Bureau of Land Management for fiscal years 1992, 1993, 1994, and 1995; to improve the management of the public lands; and for other purposes with Mr. MAZZOLI in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Minnesota [Mr. VENTO] will be recognized for 30 minutes, and the gentleman from Montana [Mr. MARLENEE] will be recognized for 30 mintues.

The Chair recognizes the gentleman from Minnestoa [Mr. VENTO].

Mr. VENTO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of H.R. 1096, a bill to reauthorize appropriations for the Department of the Interior's Bureau of Land Management, otherwise known as the BLM.

During the last Congress, the House passed a very similar bill, but unfortunately the Senate did not take any action, so there still is no formal authorization for the appropriation of any money for BLM to do the vital work of managing the public lands under its jurisdiction.

H.R. 1096 would provide such an authorization for 4 fiscal years, beginning with fiscal year 1992.

The last such authorization, as I pointed out in my previous statement in debate on the rule, ended in 1982. I commented that the reason the BLM has not been reauthorized is that there is controversy surrounding BLM and the management of public lands.

Mr. Chairman, like the bill the House passed in 1989, H.R. 1096 goes beyond a mere reauthorization, and includes a number of provisions intended to improve BLM's ability to properly and professionally manage the public lands and the rich diversity of values and resources that those lands contain.

These provisions include a number of revisions of the Federal Land Policy and Management Act of 1976, or FLPMA, which is BLM's basic organic act. As I said when the House was considering the predecessor bill in the last Congress, these are essentially fine tuning amendments, because FLPMA is a sound and wise statute that provides BLM with ample authority to properly manage the public lands under a multiple-use, sustained-yield mandate.

I know that some will raise the specter that these changes in FLPMA somehow would transform this mandate, and undermine multiple-use and sound-yield management of the public lands. But while this may be creative imagery with colorful rhetoric, it is not accurate. It is misleading, in fact that is not the intent, and that would not be the effect of the bill before us.

Mr. Chairman, the BLM is a very important agency. It is responsible for full management of some 270 million acres of Federal public lands in 28 States, for management of the Federal mineral estate underlying an additional 300 million acres nationwide, and for supervision of most mineral operations on Indian lands.

For a decade, the Interior Committee has been very concerned about the gap between BLM's responsibilities and the readiness of the agency to meet its challenges. Through extensive oversight activities, we have become very aware of BLM's shortcomings.

Most of these shortcomings have not been the result of inadequate authority. Instead, they have resulted from insufficient fiscal resources, or inadequate leadership, or both.

□ 1350

In other words, Mr. Chairman, for the most part it is not the basic law; it is the money, and it is the lack of leader-

ship. In response, many of us have worked to increase the resources made available to BLM and to use the oversight process to urge better leadership. These efforts have brought some successes.

However, it has become evident that there should also be some revisions in the basic law and other laws as part of our ongoing, overall effort toward continued improvement in BLM's management of the lands for which it is responsible.

For example, some revisions were included in the reauthorization bill passed by the House in 1989. Some are included in this bill. However, there are some differences between the bill and the one passed by the House in the last Congress.

For instance, H.R. 1096 does not include provisions dealing with military use of the public lands. We will deal with that at a later date, but meanwhile it is important that the House continue to move ahead on this reauthorization bill.

After the subcommittee hearing on H.R. 1096, I discussed directly with BLM Director Jamison some of the points he and other administration witnesses had raised, and also indicated that there were other aspects of BLM activities that it would be desirable to address legislatively through amendments to the bill. Based on those discussions, the committee adopted a number of amendments, including some amendments to the part of the bill dealing with subleasing of grazing allotments, a section that was incorporated in the language added on the House floor in 1989 and proposed by the gentleman from Georgia [Mr. DARDEN].

The committee also adopted amendments that address some matters not dealt with in the House-passed bill of 1989. One such new provision would change from $2,000 to $10,000 the specified maximum penalty for a knowing and willful violation of the Wild Horses and Burros Act.

Also, the bill as reported includes several new sections.

Section 14 would amend FLPMA by adding an explicit provision for judicial review. This only came about, Mr. Chairman, because courts increasingly have cited the lack of a specific provision providing for judicial review, in the basic law as the basis for not moving forward.

Section 15 addresses the issuance and management of future rights-of-way for pipelines, moving them from under the Mineral Leasing Act to FLPMA, which basically has, or should have, the responsibility for rights-of-way across public lands. Although this is, I think, a desirable change, there is a jurisdiction problem that relates to that, so we will be offering an amendment to take it out of the bill at the appropriate time, but, nevertheless, I still think it would be an important change in terms of FLPMA, and we will proceed to pursue it in a different avenue, as with the military reservation issue.

Section 16 of this bill, deals with claims concerning highway rights-of-way alleged to have been established under an 1886 Act that was repealed in 1976. Really all we are asking, Mr. Chairman, is that those who claim such rights exert them, that they, in fact, exercise them, and that those claims then can be put into the records so we know who has a right-of-way across public lands. We provide for recordation of those types of rights and for investigation and appeal in the event, for instance, that those rights come under question. Just as we did with unpatented mineral claims on public lands, we are seeking the same sort of recordation with regard to access rights across public land. I think that is a reasonable and measured concern with regard to having adequate information surrounding the management of public lands.

Section 17 would require BLM to evaluate alternative ways of caring for the wild horses now located on the two wild horse sanctuaries in South Dakota and Oklahoma, this in an amendment offered by the gentleman from South Dakota [Mr. JOHNSON].

Mr. Chairman, as we proceed with this general debate and with consideration of such amendments as may be offered, I anticipate that there will be some rhetoric about the bill that will be more colorful than accurate. I regret that, but that I recognize as a fact in terms of the individuals and the arguments that they may tend to pursue.

I expect that some statements will be made that this bill is extreme or that it is unbalanced. I strongly disagree. The changes in existing law that this bill would make are not extreme, but moderate. They are balanced modifications to FLPMA and not a major rewrite of the 16 years old law.

There may be some overblown charges that this bill would change BLM from a multiple-use agency into something else. That, too, is inaccurate, I am happy to report. In fact, the purpose, intent, and effect of this bill is to further multiple-use management, by improving BLM's ability to manage the public lands in a way that properly accommodates and reflects the whole spectrum of multiple uses and users. It strengthens and improves BLM's organic act, which is a multiple-use act, and it strengthens and improves the Bureau of Land Management as a multiple-use agency.

As my colleagues know, the fact of the matter is that one of my colleagues just got up and said that the BLM does not manage anything. Well, I think that that may be, indeed, one of the problems, although I know that he was saying that in a light sort of way. I think the fact is that too often we see the land managers as being managed by those that are using the land as opposed to turning it around the other way. That is to say, if you happen to have grazing permits, or mining permits, or mineral claims, or even if you are someone that is just using it for recreation, hunting, fishing and other purposes that are so important in terms of our culture these uses need to be managed. It is important that the manager really be in charge. When we talk about 8,000 people as being a bloated bureaucracy, I think we ought to stop and think about the fact that we are asking every single land use manager, even if they were all in the field, and they are not in the field; there are some in Washington, there are some in offices doing support service; we are asking every one of them to be managing 33,000 acres a person. Now I think that that indicates the undervaluing of these public resources that we have had to some extent for some of these public lands. Clearly that has been the history, the BLM lands were thought of at one time early in our history as lands that were not good for anything else. I would say that some have thought of them as being wastelands. But today I think that we have an enlightened view of the importance of these arid regions, these areas that have ephemeral plant and animal presence on them. We recognize them as being extremely fragile and extremely special in terms of the type of wildlife, the type of plant, the type of use that they can and should be properly safeguarded from misuse. But here, too, of course, I would say the bill is balanced in terms of what it does. All it provides is that the claimants, for instance, with regard to the issue of recordation and other aspects would be able to come forth and make their claims that we could protect the resources.

Mr. Chairman, I would urge my colleagues to support the bill. I think it is a good bill, and I reserve the balance of our time.

Mr. MARLENEE. Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. LAGOMARSINO].

Mr. LAGOMARSINO. Mr. Chairman, I rise in opposition to the bill in its present form.

Mr. Chairman, I wish to be recognized as a staunch opponent of the H.R. 1096, a bill designed to convert the Bureau of Land Management from a multiple use agency into a preservation agency. Few pieces of legislation which have been reported by the Interior and Insular Affairs Committee in recent years reflect such a one-sided treatment of such an important issue. This is indeed unfortunate, because there are probably many issues in this bill which could have been addressed in a bipartisan fashion. The one sided and hasty development of this measure is reflected in the major amendments which will be accepted by bill proponents without argument.

Today we have a bill drafted in isolation by environmentalists to the exclusion of the mem-

bers of groups who are directly affected by this far reaching bill. Indeed, it is my understanding that there may be a number of additional amendments by other Members who have no interests at stake in this bill. As we see all the time in the Interior Committee it is always easy to be an environmentalist in someone else's district.

Mr. Chairman, I share the concerns of many Members about the policies of this body which are further eroding private property rights in this country. This is happening in two ways, first the ever-expanding appetite of Congress to gobble up private land by expansion of the Federal estate. The Federal Government already owns over 50 percent of the land in this country. Second, once in the Federal domain, these lands are subject to an ever-increasing body of restrictions which preclude virtually all uses. In the last 25 years, over 130 million acres have been forever removed as productive lands by designation as parks or wilderness areas. This represents an area about 1½ times the land mass of the State of California. While there are Federal lands which deserve such protection, the overly restrictive policies advocated under this bill are unjustified.

Because of the manner in which this bill was developed, it is strongly opposed by virtually all users of the public lands and the administration. I expect the measure will be opposed by every Member of this body who has substantial public lands in his or her district or who understands what multiple-use management is all about. This bill has been a classic example of the all or nothing negotiation style adopted by the major preservation groups. In this case, I expect that their efforts will yield nothing, which was exactly the fate of a less egregious BLM reauthorization bill last Congress.

While the language of the bill goes into great length to explain what the bill does not do, I share the concern of other members on the Interior Committee who have reviewed this bill are very concerned about what the bill does do.

Therefore, I urge my colleagues to vote against this measure.

Mr. MARLENEE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to this litigation legislation. We are about to vote today on a new bill that will, first, vastly increase the size of the BLM bureaucracy; second, vastly increase the cost of the agency; third, increase the number of government employees; fourth, decrease the opportunity to harvest renewable resources; fifth, increase litigation opportunities; and sixth, this legislation creates the kind of regulatory gridlock that precludes professional managers from moving forward with expediency in making professional judgment calls.

Every Republican on the committee opposed it. The Secretary of Interior will recommend a veto and in the last Congress the other body simply ignored similar legislation.

We could have simply reauthorized the BLM with a simple eight line bill. Do not be misled; the professional management of BLM must be and is bound—committed and required to follow a whole host of laws requiring environmental stewardship, Endangered Species Act, FLPMA, Federal Land Management Policy Act, Clean Water Act, and others.

If these are not followed the agency is out of compliance and I would like the chairman of the committee to point out where the BLM is not complying with the law.

If, in fact, there is a question of compliance then it was never raised in hearings and BLM never had an opportunity to respond in hearings.

Why? Because there were no hearings on over one-half of the provisions of this bill—18 pages of the 31 were written after the hearings were held.

In my opinion, this bill represents one of the worst examples of congressional micromanagement and litigation legislation that this body will ever see. It will also transform the BLM from an agency that manages for a broad range of traditional, multiple uses to one that manages its land for a few selected resources.

The provisions adopted after public hearings were held include section 14 on judicial review, section 15 on oil and gas pipeline rights-of-ways, and section 16 on RS 2477 rights of way.

A result, it should be no surprise that they have generated great concern from affected parties such as pipeline companies, State and local governments, and another House committee whose jurisdiction was usurped.

If a public hearing was held on these sections and these parties could have been heard from before markup, this bill would be far less controversial today.

H.R. 1096 is based on the faulty premise that BLM lands are being managed primarily for commodity uses such as grazing and mining at the expense of noncommodity uses such as recreation and fish and wildlife. This premise is based largely on a GAO study done several years ago.

As an avid sportsman and someone who represents a State with vast BLM holdings, I find that their premise could not be further from the truth.

I see larger and healthier big game populations on the public lands than ever before. As you can see from this chart, big game populations on public lands have increased dramatically from 1960 to 1988. Antelope populations have increased 112 percent, bighorn sheep are up 435 percent, deer numbers have increased 30 percent, elk have increased a staggering 782 percent, and moose have increased 476 percent.

These statistics clearly illustrate that BLM's professional land managers are doing an outstanding job under current law and do not deserve the sort of indictment, congressional micromanagement, and environmental gridlock that are contained in this legislation. The present Director has stated and demonstrated time and time again that recreation and enjoyment by the public of BLM lands are a high priority.

H.R. 1096 should probably be renamed the Lawyers Full Employment Act of 1991 for several reasons.

First, because of the bill's vague and ambiguous language in many areas, only the Federal courts will be able to provide the kind of clear definitions that people operating on BLM lands need to have before they can understand the ground rules they must follow. This means delay for delay.

Second, the judicial review section of this bill, among other things, attempts to overturn the Supreme Court's decision in Lujan versus National Wildlife Federation.

According to the administration's policy statement on this bill:

> This may overburden the courts with unwarranted, specious, and political challenges to agency actions that have no immediate impact on plaintiffs' interest.

In other words, this is litigation legislation at its worst.

Section six of the bill would limit the number of political employees in the BLM to only two.

H.R. 1096 has numerous other provisions that many of us find objectionable. Some of these will be described in detail by other Members during today's debate.

Let me point out the tremendous opposition that this bill has generated. H.R. 1096 is opposed by the 3.7-million member American Farm Bureau Federation, the American Motorcyclist Association, the American Mining Congress, the National Cattlemens' Association, the Rocky Mountain Oil and Gas Association, and the Western Regional Council.

Moreover, let us remember that a more scaled down version of this bill from the last Congress did not even receive a hearing from the Energy and Natural Resources Committee in the other body—even though it had over 1 year to do so.

□ 1400

Mr. Chairman, I reserve the balance of my time.

Mr. VENTO. Mr. Chairman, I yield 4 minutes to the gentleman from Georgia [Mr. DARDEN], a member of the committee and a sponsor of many of the provisions of this bill.

Mr. DARDEN. Mr. Chairman, I thank the chairman of the subcommittee, the gentleman from Minnesota [Mr. VENTO], for yielding time to me.

Mr. Chairman, I rise in strong support of H.R. 1096, the Bureau of Land Management authorization bill. As a member of the Subcommittee on Parks and Public Lands, I am well aware of the long and difficult journey this bill already has traveled, and I am pleased that the end of the road is in sight.

Both the chairman of the full committee, Mr. MILLER, and the chairman of the subcommittee, Mr. VENTO, have worked diligently to craft the most responsible and reasonable bill possible. Many of our public lands have fallen prey to some to the most destructive forces of man and nature. Whether through development, drought, misuse or overuse, these lands have suffered, and it is our responsibility as guardians of the public trust to ensure that they are maintained properly.

As many of you know, BLM programs, while continuing to operate under appropriated funds, have not been authorized since 1982. Unfortunately, disputes between the administration and Congress have created an atmosphere in which meaningful legislation has become almost impossible to enact. Under the leadership of Chairman VENTO, however, we have a bill which not only continues the authority for BLM programs, but makes some necessary changes to the Organic Act which sets the management objectives for BLM operations.

The definition of areas of critical environmental concern [ACEC's] has been expanded so that BLM can continue to give these areas priority in protecting important resources located on public lands. Deadlines are established for the completion of land use plans required under FLPMA. The list of principal or major uses of the public lands as determined by FLPMA is expanded, and public participation, already required, is further encouraged.

While I support wholeheartedly the bill before us, I do believe there are concerns which have not been addressed, and I intend to offer the Synar-Darden-Atkins amendment to increase grazing fees at the appropriate time. However, there were aspects of the grazing permit process which I believed needed clarification, and I am pleased to note that the version of H.R. 1096 reflects the changes we advocated during subcommittee consideration.

Unfortunately, some confusion apparently has arisen about the nature of the rights of permit holders and the effect of grazing permits on property values and taxes. For the record, then, let me reiterate: Grazing permits, as licenses to exercise a privilege on Federal lands, cannot be bought or sold. However, because permits are business assets, some States levy a beneficial use or possessory interest tax on grazing permits, as they do on other special-use rights on lands not owned by the party having the right of use.

Grazing permits are neither inheritable nor directly transferable by permittees—only the Government can issue a grazing permit. In 1986, the Internal Revenue Service did rule that upon the death of a permittee, a grazing permit would remain in effect for the permittee's heirs for the remainder of the permit term. Consequently, to clarify this matter, section 10 of H.R. 1096 adds an explicit statement that a grazing permit terminates on the death of its holder, but the land-managing agency can permit continued grazing while the estate is settled.

In conclusion, I applaud the efforts of my subcommittee chairman, Mr. VENTO, and committee chairman, Mr. MILLER, and of their eminently capable and hard-working staff, and I urge my colleagues to join me in supporting this important and well-crafted legislation.

□ 1410

Mr. MARLENEE. Mr. Chairman, I yield 5 minutes to the gentleman from Utah [Mr. HANSEN].

Mr. HANSEN. Mr. Chairman, I rise in opposition to 1096. This bill would make a number of undesirable changes on how the Bureau of Land Management manages the public land.

I am one of those from a public land State. About 70 percent of my State is owned by the Federal Government, and we find it very objectionable in section 3 of the bill.

This bill reads:

The BLM must manage the public lands to protect or enhance the resources and values of the Conservation Value Unit, but it is not the intent of Congress that the Secretary establish protective parameters or buffer zones around conservation system use.

That all sounds good, and we all feel good when we read that. But in reality, as we look at this disclaimer, it says it does not intend that the Secretary create buffer zones around the conservation unit. I am not convinced that that is what it does.

By requiring the land management agency to manage the public lands in the way that protects and enhances conservation system units, this will put great pressure on the Secretary of the Interior to create buffer zones and to avoid litigation.

According to the Director of BLM, Cy Jamison, section 3 of the bill would indeed create buffer zones. He stated that the requirement to establish an area of critical environmental concerns to protect and enhance might drastically change the management ethic of many conservation units which were established for administration within the framework of a program for multiple use and sustained yield and providing for resource use and development and maintenance of environmental quality. It is difficult to understand how compliance with the law would not create buffer zones.

Mr. Chairman, we have played this game a number of times, in 1983 to Chairman Seiberling, who had the position of the gentleman from Minnesota [Mr. VENTO]. He put in a bill. This is the third or fourth time we have played this buffer zone game.

This time we are talking about enhanced things, of conservation units. In the past we were talking about "adjacent to." We were also talking about "detrimental to."

Are there any of the great lawyers here who can tell me the definition of "adjacent to" or "detrimental to"?

At the time we debated it, we could find no one, no one in the House, no one in the Senate, no one in the judicial department. The great book Blackstone would not tell us what that meant.

So we are all betting on a pig in a poke. We are all saying well, let us just guess what it means, folks. We will guess on this thing, and hope it all comes out right. The chairman then, Mr. Seiberling, invited me to debate him on public radio. So I did. A guy called in and asked the question, "Mr. Chairman, I live down in southern Utah, and outside of the park, Bryce Canyon, if you happen to see some cows going across there and they put up the smoke, is that adjacent to?"

He said, "By all means."

He said, "Is that 'detrimental to'?"

The chairman answered, "By all means."

Well, most prudent people would not think that cows putting up some dust would be "adjacent to" or "detrimental to."

The next man called in and said, "Well, I live up in the northern area by Thiokol Chemical. At Thiokol Chemical we create these rocket motors that put the shuttle up into space. By that also happens to be the Golden Spike Monument, where the two railroads came together."

The question came up, when they test these rockets, and you ought to be there, it is ear shattering, would that be detrimental to?

The chairman answered, "By all means, it would be."

So now here we are going to play this game again. We are going to subject 11 States in the West to the idea of "adjacent to" and "detrimental to." Only this time, we are going to call it "enhance the resources." Why are we putting this burden on the Director of BLM?

Mr. MARLENEE. Mr. Chairman, will the gentleman yield?

Mr. HANSEN. I yield to the gentleman from Montana.

Mr. MARLENEE. Mr. Chairman, the gentleman from Utah [Mr. HANSEN] indicated that these buffer zones, or areas adjacent to National Parks and U.S. Fish and Wildlife Refuges, would be subject to management by that agency.

Mr. HANSEN. Yes.

Mr. MARLENEE. Mr. Chairman, by the agency, I am talking about the Park Service.

Mr. HANSEN. No.

Mr. MARLENEE. But they would be managed to enhance?

Mr. HANSEN. Yes.

Mr. MARLENEE. Are there agreements that exist now whereby BLM must consult with the Park Service?

Mr. HANSEN. Mr. Chairman, reclaiming my time, there are informal agreements that BLM talk about that they have worked out, and they work very well.

Mr. MARLENEE. Mr. Chairman, if the gentleman will yield further, there are informal and formal agreements, as I understand it.

Mr. HANSEN. That is what the Director has told us, yes.

Mr. MARLENEE. That the BLM must have with the Park Service, for instance, in managing the land, if they make a management decision on land adjacent to.

Mr. HANSEN. I think it is working very well.

Mr. MARLENEE. Mr. Chairman, why do we need the buffer zones?

Mr. HANSEN. Mr. Chairman, that is exactly the point. The question comes down, and I hope Members listening to this please, do not put buffer zones on us. We have got endangered species, we have got wetlands, we have got all this other stuff. Let us not add another level on this thing. Let us not ask for a buffer zone, that no one knows what it is, no one can interpret, and say, well, let us turn it over to the courts; the courts apparently will know.

Mr. Chairman, I really object to that. I would hope Members would not go along with this.

Mr. VENTO. Mr. Chairman, I would inquire how much time remains on both sides?

The CHAIRMAN pro tempore (Mr. MAZZOLI). The gentleman from Minnesota [Mr. VENTO] has 15 minutes remaining, and the gentleman from Montana [Mr. MARLENEE] has 17 minutes remaining.

Mr. VENTO. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I want to comment on the concerns of the gentleman from Utah [Mr. HANSEN]. I might say that the bill in not one, but two instances, on page 3, suggests that there is not a buffer zone type of requirement. So in terms of buffer zone, we said that twice in the bill, and it is reiterated in the report.

All we are suggesting here is that where, we have, the interface of various types of public lands, that is, with respect to conservation system units which we define in here as being National/Parks, wildlife refuges, wild and scenic rivers, and so forth and so on, on page 3, we say that the lands that are adjacent to them should be managed, "to protect or enhance the resources and values of a conservation system unit, but it is not the intent of Congress that the Secretary establish protective parameters or buffer zones around conservation system units."

Mr. Chairman, all we are saying is that the left hand ought to know what the right hand is doing.

Insofar as consulation, that is not a requirement of this bill. I commend Director Jamison for talking to Director Ridenour concerning that particular matter.

Mr. Chairman, I yield such time as he may consume to the gentleman from California [Mr. MILLER], the chairman of the Committee on Interior and Insular Affairs.

Mr. MILLER of California. Mr. Chairman, I thank the gentleman from Minnesota [Mr. VENTO] for yielding this time, and commend him and other members of the committee who have worked so hard to bring this bill to the floor.

Mr. Chairman, the Bureau of Land Management is responsible for managing hundreds of millions of acres of Federal lands. For many years, they were considered the leftovers that the more glamorous agencies like the Park Service and the Forest Service did not want. Today, we know this is a terrible misconception.

BLM lands are a treasure of environmental, scientific, scenic, recreational, and cultural assets as well as a source of familiar economic opportunity to ranchers, miners, and timber companies. There is no way the United States can justifiably claim to be a good steward of its environment until it cares as much for the management of these public lands as it does to its better-publicized crown jewels of parks, wildlife refuges, and forests.

This bill takes a step in that direction by updating management of areas of critical environmental concern, improving planning requirements and professional qualifications of BLM officials, effectively prohibiting subleasing of grazing allottments and revising certain outdated procedures.

For example, the bill sets forth new requirements for investigating and adjudicating rights-of-way across public lands. Currently, a 125-year-old statute known as RS 2477 continues to serve as a basis for right-of-way claims even though it was repealed by the Federal Land Policy and Management Act in 1966. RS 2477 claims have generated particular controversy in Alaska where the new State administration views this obscure statute as a means to circumvent procedures in title XI of the 1980 Alaska Lands Act. Contrary to the dissenting views in the committee report on H.R. 1096, the procedures of title XI of ANILCA clearly apply to all claims to rights-of-way across conservation system units in Alaska, including any which may be asserted based on RS 2477.

All these reforms are modest, Mr. Chairman, but they are constructive and long overdue.

In the final analysis, the responsibility for guarding the integrity of the public resources and the public lands rests with the Director of the BLM, the Secretary of the Interior and the President. To date, the record is very disturbing. They have delivered us from the Burford-Watt-Reagan era of outright environmental hostility to a new age of benign neglect and happy-talk press releases tinged with green.

This is progress, but it is entirely inadequate to our times. It does not restore our endangered riparian lands, or expand wildlife habitat or protect the public's economic interest in its ranges, minerals, forests, rivers, or recreation lands. It does not begin to address the fact that throughout the West we are asking our public lands to do too many things for too many people. We are literally chewing them up in the process.

Shortly, we will be debating an amendment offered by Mr. SYNAR addressing the critical issue of grazing fees, grazing advisory boards and use of range betterment funds. I strongly support this amendment, which the House passed only last month in the Interior appropriations bill.

Our current rangeland policy is shortsighted and seriously flawed. For example, the Department of the Interior charges one special interest group subsidized, below-cost fees for their use of the public resources. Then, without legislative authority, they organize boards made up solely of members of that same special interest group. These boards then decide how to spend half of the Government's revenues generated by the below-market fees they just paid. Not surprisingly, they decide to spend millions on projects that benefit themselves and don't bother to account for how more than half of it is spent at all. It is time to stop this indefensible practice and the Synar amendment will do just that.

So, Mr. Chairman, I am pleased to rise in support of the committee bill and the Synar amendment that will be offered to it.

□ 1420

Mr. MARLENEE. Mr. Chairman, I yield 3 minutes to the gentlewoman from Nevada [Mrs. VUCANOVICH].

Mrs. VUCANOVICH. Mr. Chairman, I thank the gentleman for yielding time to me. Mr. Chairman, I support a 4-year reauthorization of the Bureau of Land Management. However, the radical nature of the substitute to H.R. 1096 causes my strong opposition to the measure before us.

This bill, as now written, would drastically change the BLM's mission. Currently, the agency is charged with managing the public's natural resources under the multiple use and sustained yield principles. Unfortunately, H.R. 1096 recasts BLM's mission to incorporate land management practices better suited to parks or other single use areas. This bill, in essence, says "no" to grazing and mining and other commodity uses of the public lands.

Mr. Chairman, there is no congressional district in this Nation, save that of the Interior Committee's ranking

member DON YOUNG, that has more public land acreage within its borders than mine.

In Nevada, the BLM is responsible for managing more than 48 million acres of land—more than the whole State of North Dakota. This amounts to more than 67 percent of Nevada. Believe me, my constituents and I know the impacts this rewrite of the Federal Land Policy and Management Act of 1976 would have upon the West.

It is not mere speculation when I state that Nevadans and millions of other citizens residing west of the 100th meridian would have their livelihoods dramatically affected by this bill and the amendments expected to be offered to it.

I do not mean only the grazing fee amendment, either, though that is indeed a major concern of mine. There are hidden provisions in this bill which will be destructive to the West's economy.

Mr. Chairman, H.R. 1096 is simply "A wolf in sheep's clothing."

My colleagues have been, will be, focusing on various sections of this bill, and why we should vote it down, let me quickly voice a major concern of mine. The hidden requirement that BLM maintain biodiversity on the public lands worries me. Why? Not because a diverse plant or animal community is something to be shunned. Far from it, I agree that maintenance of species diversity has merit, but I also believe that current BLM practices achieve this goal.

Section 4's increased emphasis on biodiversity, coupled with section 14's standing to bring lawsuits, presents a clear and present danger for crippling environmental lawsuits brought by nonresidents of the rural West.

Section 14 would overturn a long-standing legal principle barring nonaffected parties from bringing suit. This opens the door to lengthy litigation by groups dedicated to locking up our public lands.

These groups have little to lose from protracted law suits. Rural small businessmen do. Even when the preservationist group's cases are ultimately lost on the merits, their common tactic of seeking injunctive relief shuts down small businesses and wreaks havoc on the West's economy.

Third parties to such litigation—ranchers, miners, loggers—must patiently wait, often years, for these cases to be decided. While BLM policy is debated in court, the real injured parties can only watch their livelihoods ebb away.

Consequently these small businessmen and women are finally run off the land, and then where will we be? Are we to be a nation of city dwellers, where our public lands are off-limits to resource harvesting?—urban encaves in a sea of parks?

My friends, what is so wrong with the Supreme Court's logic that plaintiffs must establish harm by the BLM in order to go forward with litigation against the agency? This is good commonsense law and deserves to be maintained. Overturning such precedent means "Katie, bar the door" because any citizen, anywhere, can allege harm and sue the BLM, enjoining the agency from doing its job.

Mr. Chairman, I strongly urge the Members of this body to reject H.R. 1096. It is a bad piece of legislation which will do great harm to the West, and thus to the Nation.

Mr. MARLENEE. Mr. Chairman, I yield 3 minutes to my colleague, the gentleman from Oregon, Mr. BOB SMITH.

Mr. SMITH of Oregon. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I rise in opposition to this BLM reauthorization bill, although we should pass it. We do not need it. The BLM has been operating in fine stead since 1982, so it is not imperative, and this bill will be vetoed. So thank God for separation of powers.

This is not a simple reauthorization bill at all. It rather transforms the Bureau of Land Management into a single use agency rather than a multiple use agency.

More than 300 million acres of land are under control of the Bureau of Land Management in the West. This land contributes to the needs of people for livestock forage, for timber, for mining, for their livelihoods. Each year the BLM returns a profit to the Treasury of America from those people and those lands, more than $232 million, by the way, last year.

This legislation would put an end to those profits and our way of life by stopping commodity production on BLM lands.

There has been a great deal of discussion about the question of buffer zones, and true, this bill does not allow buffer zones. Buffer zones became very much too controversial to stand any more. So if you cannot stand buffer zones you change the name, and you change it to areas of critical environmental concern, new idea for buffer zones.

I want to show Members this map, by the way, which is a map of the State of Oregon. As can be seen, the dots here are already areas of environmental critical concern across the State of Oregon.

We have more than 2.1 million acres of wilderness in Oregon which will be expanded by areas of environmental critical concern. We have 1,800 miles, 1,800, and one-third of all of the wild and scenic rivers in America are in Oregon, outlined by these black areas, expanded into areas of critical concern. They will be expanded. Wildlife refugees, national parks, already half of the State is in Federal control, and we are expanding the idea of all these designations to the areas of environmental critical concern. It is very possible that the whole State could become one set-aside in the definition of areas of critical concern.

Therefore, I ask all Members, do not be fooled by the idea they have eliminated buffer zones. They are substituted with another argument, and this map would be belonging totally to single purpose if this bill is adopted.

I urge Members to oppose the BLM reauthorization program.

Mr. MARLENEE. Mr. Chairman, I yield such time as he may consume to my colleague, the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I just wanted to add a word with respect to game management on western lands where currently we have I think a good balance between wild game herds and grazing.

I am a hunter and a fisherman, and I've spent a lot of time in the West in game habitat, and I just want to remind my colleagues that with the balance that we have the elk herds in Idaho, in Wyoming, in Oregon, in Utah and in Colorado are at all time modern highs. In fact, the number of elk in Utah has doubled in the last 10 years. This has been done compatibly with the present balance that BLM has with respect to grazing.

I heard something also that troubled me when listening to the debate. I heard some advocates on the other side saying that only 2 percent of Americans benefited from the grazing lands that are made available to our ranchers and cattlemen in the West. Actually every American who is interested in having a good export balance benefits from this harvest that takes place on grazelands in the West. Grazelands are not timber. They are a perishable annual crop, and if we do not harvest the grass, when the winter snows come it is gone. It is not like a tree or a timber product that can be reserved for a later time. Unless we bring back tens of millions of buffalo, for example, that used to roam the West and harvest that crop in a natural way, the crop perishes and will perish every year without harvesting by the cattlemen and the grazing interests in the West.

This is a very, very important ace in the hole for America's exports, and I think we should maintain this balance that has accrued to the benefit of our wild game herds and the benefit of every American who wants to see a good export balance.

Mr. MARLENEE. Mr. Chairman, will the gentleman yield?

Mr. HUNTER. I am happy to yield to the gentleman from Montana.

Mr. MARLENEE. The gentleman from California is a member of the sportsmens caucus, is that not correct?

Mr. HUNTER. That is true.

Mr. MARLENEE. The gentleman from California has spent an extensive

amount of time in the field observing the outdoors, the wildlife, and hunting, and in outdoor activities, is that correct?

□ 1430

Mr. HUNTER. That is since I was 9 years old.

Mr. MARLENEE. Since the gentleman was 9 years old? Has he observed a dramatic conflict or any conflict at all between wildlife and the harvesting of the renewable resources of grass?

Mr. HUNTER. Actually there is not a conflict, and the species are very compatible. Elk are grazers. They are grazers like cattle. Where the brush is removed back and is kept in a state of retardation, and I am talking about the type of brush that chokes out grass, that is done by cattle, that produces more grass for elk, and that is the reason the elk herds in the West over the last decade have exploded in numbers, and that is the reason why the elk herd in Utah has more than doubled in the last 10 years because of the fact that they are so compatible with the grazers and with beef.

Mr. MARLENEE. I thank the gentleman.

Mr. VENTO. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I yield to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, at this time I would like to note for the record that the Government Printing Office made an error when it printed House Report 102–138 on H.R. 1096 filed by the Committee on Interior and Insular Affairs. The error occurred when GPO dropped from the second line of the last paragraph on page 20, nine words following "FLPMA" which is the first word of the line. The words which should have been included are "would be a disclaimer, stating that nothing in FLPMA." These additional words which were included in the committee report as filed make clear that nothing in FLPMA shall be construed as exempting proposals dealing with claimed RS 2477 rights-of-way from title XI of the Alaska National Interest Lands Conservation Act.

Mr. VENTO. Mr. Chairman, reclaiming my time, I thank the gentleman.

Mr. Chairman, I would point out that it has been repeatedly stated about the problems that have occurred with regard to BLM management, that nobody has said anything with regard to that, and clearly I think the record we have established in the last 5 or 6 years with regard to the Parks and Public Lands Committee indicates that there are problems. For instance, the GAO has appeared before the committee on numerous times to point out the problems with the damage to the resource, especially, for instance, to riparian areas from the grazing and the activities that go on around in these areas.

In fact, they contrasted Bureau of Land Management's practices and management in those areas as opposed to the Forest Service activities. There definitely has been damage to those riparian areas, very extensive areas, which the BLM was not adequately managing. Those reports are there for Members to see. They were sitting in the committee room.

Perhaps they heard what they wanted to hear, but they were not listening to the same type of report. They point out the inadequacies of research work on the part of the BLM.

Mr. Chairman, for another example in September of 1990 GAO reported that in over 13 years since the Congress mandated BLM's preparation of land-use plans to guide the management of public lands, less than half had been completed. These are, I think, an indication of some of the problems that are going on in BLM.

I think, as the Members look through this bill, they ought to be aware of what is being discussed. I tried to outline some of those particular provisions with regard to retardation of private access use over public lands. I tried to point out, for instance, many other examples that exist in this bill that address these problems.

GAO says, "We believe that the provisions of H.R. 1096 would serve to hasten BLM's movement to a more balanced public lands management" with regard to the plans with regard to other particular provisions of this bill.

It has been said that there were provisions added to the bill after the introduction and after the hearing and that is clearly the normal congressional process and the committee process. What would we do? Add the provisions before? I mean, the hearings served the purpose of providing information and highlighting additional problems concerning the BLM management.

Most of the provisions, I would suggest, were in the bill. Most of the provisions were known to the Members. Clearly we started out with a basic authorization, 4-year authorization bill, in the 101st Congress, and added to it after thorough discussion with the minority.

There were agreements on some points, disagreements on others, and I would suggest the same is the case today.

But we talk about, for instance, as I had indicated, new planning requirements, some expansion of the definitions to provide for a balanced approach. We provide for the BLM's working together with other land management agencies, especially where there are conservation units. We think the BLM ought to respond in those particular instances, and we point out specifically twice on page 3 they are not required to establish buffer zones.

Notwithstanding that, some Members have tended to disregard that and to try and turn the tables in this debate today.

Mr. Chairman, we provide, for instance, under the areas of critical environmental concern where the BLM establishes these areas within their own rules. We provide that there ought to be public comment on this particular procedure. I do not know that that is such an earthshaking type of provision with regard to law, but we do provide that.

This bill before us, I am proud to say, has provided some further prohibitions on subleasing. Repeatedly, and I think that many of the Members from non-Western States who come from other States to the east may not understand that when we talk of an animal unit month, we are talking about 800 pounds of grazing forage that actually gets consumed in an animal unit month, and we are suggesting, for instance, that we are going to hear a lot of debate about that, that that is worth only $1.97, at a time, of course, when beef prices are extensive in terms of what is happening.

I have nothing against a farmer, a rancher, making a profit in terms of these lands, but I think that if there is too big a profit to be made that we get into subleasing types of activities which are so common in some instances in the West, and that those benefits ought to flow to the taxpayer, not into the pockets of those that happen to have a grazing permit by virtue of birth, in that they have passed on to them the ownership of the base private land, and so get the permit.

I think the taxpayer has a right to suggest that they ought to share in some of the benefits from the public land, and it ought to be used in a manner that does not damage the resource in the final analysis.

Mr. Chairman, we have put a lot of provisions in this bill concerning Members' concerns with regard to rural electricification, dealing with strict liability, we have put provisions in dealing with congressional review, with judicial review, providing that the act will be more workable, and we have tried to work with many Members as they have come to us with special problems.

I am somewhat surprised, but I suppose I should not be surprised, by the opposition. It seems that no matter what you try to do there are some who would not be satisfied concerning what is in the bill.

Mr. Chairman, I reserve the balance of my time.

Mr. MARLENEE. Mr. Chairman, I yield myself 4 minutes.

Mr. Chairman, the allegation is made that subleasing was common. This is certainly not the case. Subleasing is illegal. Subleasing is illegal and can be prosecuted under the law except under very special circumstances.

As to these allegations that flow around that we are abusing the land, I

wonder if I could engage in a colloquy with the gentleman from Oregon [Mr. SMITH].

Mr. SMITH of Oregon. Mr. Chairman, will the gentleman yield?

Mr. MARLENEE. I am happy to yield to the gentleman from Oregon.

Mr. SMITH of Oregon. Mr. Chairman, I thank the gentleman for yielding.

Mr. MARLENEE. The gentleman has had a lot of experience in grazing public lands, dealing with ranchers in the West, and he has a lot of public land in his area. Could he tell me, and he talked about the enhancement feature and the buffer zones and that they would be managed for enhancement; what does enhancement mean, if they are going to be managed for enhancement?

Mr. SMITH of Oregon. I thank the gentleman for yielding. Enhancement is expansion. Enhancement is so-called improvement, but when you apply it to all of the areas that I have described in Oregon and other places in the West, enhancement means expansion. It is that simple.

They have now eliminated, as I mentioned, buffer zones, because buffer zones create an animosity toward this legislation. We are suggesting that we have already identified wilderness areas. We have identified wild and scenic rivers. We have identified areas of environmental critical areas. Why do we need buffer zones?

So they displaced buffer zones with enhancement or additional areas of primary critical concern. It is the same issue.

Mr. MARLENEE. And enhancement is a nebulous phrase that means expansion of the area that is to be enhanced? Is that correct?

Mr. SMITH of Oregon. Exactly, to me, and if I could make another point under the gentleman's yielding to me, if, indeed, the Bureau of Land Management, with its desecrating of the public lands in the West by its management, then tell me this, why is it true by these numbers produced by the Fish and Wildlife Service, that under these same desecrated lands, antelope population in the last 30 years is up 112 percent, bighorn sheep are up 435 percent, deer are up 30 percent, elk are up 782 percent, and moose are up 476 percent at the same time we are grazing livestock?

□ 1440

Are these decimating the lands?

Mr. MARLENEE. Revenues to the Bureau of Land Management from grazing are up.

Mr. SMITH of Oregon. More than $232 million, from all public lands of the BLM to the Treasury.

Mr. MARLENEE. Mr. Chairman, reclaiming my time, allegations have been made that there would be a drop out in the number of grazing permits, the number of people seeking grazing permits, if we increased the fee. If we were to raise the fee, an allegation has been made there would be no dropoff in the number of permittees that are on public lands.

Does the gentleman have any information on that?

Mr. SMITH of Oregon. I do if the gentleman will continue to yield. I would be happy to respond to the gentleman that studies done by Utah State University and Oregon State University, that the analysis of the Synar amendment, going to $8.70; rather than $18 million to $20 million return from just livestock grazing, it will go to $1 million in 2 years. If the Regula amendment is adopted, livestock grazing will last about 6 years and will go to zero, under the Regula amendment. That is not just by the two universities, but the Office of Management and Budget, the most scrupulous organization in town, the most pennypinching, I know by all Members' affirmation in this body. The Office of Management and Budget said, "This is bad policy; therefore, we are opposing it because it is bad fiscal policy." It is the issue of eliminating the returns. So, it is bad public policy.

Mr. VENTO. Mr. Chairman, I yield 2 minutes to a member of the committee, the gentleman from Utah [Mr. OWENS.]

Mr. OWENS of Utah. Mr. Chairman, I commend Chairman VENTO and his very capable staff for their efforts in crafting this BLM reauthorization bill. The BLM administers an enormous parcel of the United States—270 million acres—and the additional guidance this bill provides will translate into increased protection and better resource use on the ground. Reauthorization of the BLM is long overdue—times change, and even more importantly, public policy evolves. This BLM reauthorization, with its emphasis on areas of critical environmental concern, on the prevention of degradation of the public lands, on the needs of plant and animal communities, recognizes the fact that the American people now require more of their public lands than simple commodity management. Traditional multiple-uses are protected, but the BLM's mandate, through passage of this bill, must mature into a more comprehensive view of the increasing recreational, biological, and esthetic importance of the public lands. The development of the bill has been controversial and emotional, but the changes the bill makes are balanced, sensible, and needed. I urge my colleagues to support this important bill.

Mr. VENTO. Mr. Chairman, Will the gentleman yield?

Mr. OWENS of Utah. I am happy to yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I would like to point out that somebody said that we are getting into subleasing issues, but the Interior Department Inspector General report said in 1986:

> Grazing permittees are subleasing their grazing preferences to others for more than the PRIA-established grazing fee which the permittee pay to BLM.

The solution is to raise the fee so they do not have this problem.

I just want to point out where these statements are coming from. They are not statements that somebody is picking up out of the air in order to criticize. I think they are legitimate concerns. We have specific provisions in this bill. The gentleman is entirely correct. The practice is illegal, but nevertheless, it has gone on in the past. We hope this bill will eliminate it or curtail it.

Mr. HANSEN. Mr. Chairman, I yield 2 minutes to the gentleman from New Mexico [Mr. SKEEN].

Mr. SKEEN. Mr. Chairman, the more I listen to this debate that is going on over this bill, the more I am concerned about what we are talking about here, which is basic management.

We will go back and do a little upgrade in history on where the Bureau of Land Management came from. For instance, in my district, in New Mexico, in 1951, that office was handled by three persons. Today, they employ about 150 to 160, depending on the season. Most is mandated, not in land management areas, but in the environmental and the archaeological groups, and some of the other specialized disciplines dealing with that. That is what has happened at the Bureau of Land Management.

It is a great outfit. If we keep increasing grazing fees, as marginal as the grazing business is these days, we will have a lot more people that would be good candidates for the Bureau of Land Management employees, because once we take the permittees away from handling the bulk and the large management responsibility dealing with public lands in the West, they will become good candidates for employment by the Bureau of Land Management. At least they have had experience. Maybe this is not all bad.

If this happens, I can assure Members that it will be folks that would enjoy that kind of an association, and regular income as opposed to risking what they would risk in their own investment, giving their time day in and day out, 24 hours a day, 365 days a year, week in and week out.

If something breaks, they fix it, like fences, water lines and the rest, because they belong to them. That is what we are getting to, what is happening to the land management philosophy. Everyone wants to manage lands in the West, because everyone thinks they belong to everyone, and they do. It is unfortunate they are not handled as they would be under the private sector, and I think that it is too bad they have not lifted the moratorium on land

sales and encouraged land sales with some of our public lands in the West that are not utilized for some multiuse purposes.

Mr. MARLENEE. Mr. Chairman, I yield myself the remaining 2 minutes. There has been a lot of misrepresentations here today about the abuse of the land. I think that is unfortunate because we have a lot of dedicated public servants out there who are professionals, who are professionals in range management, who are professionals in the area of the wildlife, and who are mandated by law to protect that wildlife.

I really have some concern about the allegations of profits that are being made. If it is so profitable, then why are we in such tough shape out there in those areas, that is, to graze those public land areas.

The communities are having a tough time making a go of it. They do not have a sufficient tax base. In addition to that, there is not a sufficient amount of revenue that is generated. Some of that is the fact that it is just not economical because of the regulation, because of the redtape, because of new laws that are coming in all the time, and we have a number of them including the endangered species and the wetland provisions and all that.

These are a number of the concerns of the people of the West. Now we are about to embark on another regulatory nightmare. We are going to increase the fees even further, probably, by the time this legislation is finished, in the amendment process, and make it even more unprofitable for those people, and maybe even not making it profitable at all.

I would urge my colleagues to defeat this whole piece of legislation, all of it in its entirety, and that we simply reauthorize the BLM. That can be done simply, with an eight-line reauthorization.

Remember that our employees are mandated by law to follow a number of acts that are designed to protect the environment and contribute to stewardship of those public lands. I urge defeat of the legislation.

Mr. VENTO. Mr. Chairman, I yield myself such time as I may consume.

Again, I would like to rise, of course, in support of the legislation. Believe me, there is nothing in this legislation that undercuts the professionalism of BLM. In fact, one of the provisions of the bill limits the number of political appointees that can be mandated to the BLM.

□ 1450

I certainly recognize any administration has a right to have people in a position that can carry out their responsibilities; but the question is how far down could this reach? In fact, it has been, I think, an open book in terms of what the problems are with the BLM. The problem is that the professional land manager in the field has been undercut repeatedly by political decisions that are made in Washington and made within some of the States. I think that has been the record with regards to where the problems occur. If anything, the BLM's professionals need to get this language.

I think to imply that the modest changes made in this bill after 15 years of a reauthorization act somehow will turn everything upside down or to say the least inaccurate and misleading.

I hope we can move forward. Clearly, a problem with the grazing issue is that it does dominate this because of the economic impact that it has in these areas. I do not treat lightly the fact that Members who come from those States are concerned about getting the best break they can for those ranchers. I think in the past they have done a remarkable job for the few in number that they represent or that they in their numbers have done such a good job that we have not been able in fact to put in competitive fees. I do not question for a minute that ranchers and farmers are having a hard time making it in these economic times.

The fact of the matter is we must not damage the resource, the public ranges, in an effort to try to make up for the deficiencies of the economy, whether it be beef, cattle or lamb, or other types of grazing that is going on in those lands. We have to look at the overall values. That is what H.R. 1096 does, and I urge my colleagues to support it.

Mr. RAY. Mr. Chairman, I rise in opposition to the amendments to increase grazing fees for American ranchers.

Less than 2 percent of Americans are farmers or ranchers, and few of these are under the age of 35. The American farmer and rancher is an endangered species as a result of policies aimed at dismantling these efficient and well-crafted programs. It is certainly no surprise that American farmers and ranchers are discouraged. They are quitting the agricultural business or, worse yet, being forced into bankruptcy.

Because of the difficulties the President has encountered in the GATT negotiations in reducing Europe's agricultural subsidies, I would say the Europeans have learned the importance of maintaining a strong agricultural industry despite the cost.

In making changes in farm programs, our primary concern should be to improve the industry, not to destroy it. The increase in grazing fees proposed by these amendments will further dilute the unit that has benefited American farmers and ranchers for decades.

If we lose American agriculture, we lose not only a part of America's history, but we leave America's future up to chance. A strong America is one that can feed and provide for her citizens. A weak America is one that is willing to sacrifice a sector of her industrial base.

I urge my colleagues to oppose these amendments.

Mr. GREEN of New York. Mr. Chairman, I rise in support of the Committee on Interior and Insular Affairs for all the work it has done on this bill. I wish specifically to support the provision which seeks to strengthen the Wild Horses and Burros Act by establishing tough fines for anyone in violation of it. I have been disappointed by the BLM's management of that act for some time, and believe that this is a step in the right direction.

While I understand the BLM's difficulty in managing herds which, in many instances, have grown large in number and environmentally burdensome to maintain, I have trepidations as to the sincerity of the BLM's efforts to preserve these animals. In the Federal Register of July 2, 1991, for example, the BLM has proposed a rule allowing it to implement decisions to round up free-roaming wild horses and burros in specific areas even before resolution of appeals of those decisions. The rule would give the BLM license to conduct heedless roundups without any accountability as to whether or not the roundups are necessary.

The BLM already has an avenue, with the Interior Board of Land Appeals, in which to conduct a roundup should conditions exist which make one necessary. It does not need this additional rule which, in effect, circumvents the IBLA process.

The Wild, Free-Roaming Horses and Burros Act, established in 1971, sought to protect the wild horses of the West. Although conditions sometimes exist making roundups necessary, the situation with the wild horses and burros has not, as BLM would have you believe, reached crisis proportions. The provision included in today's bill strengthens the act, thereby affirming Congress' resolve to help preserve these animals. We need to tighten the reins on the BLM's policies, not loosen them. Please join me in supporting this provision, and in supporting the committee's bill.

Mr. PENNY. Mr. Chairman, I support the Regula amendment to increase grazing fees on BLM-administered lands.

It is time to send a signal to ranchers in the West that utilize public lands for grazing that they must pay higher grazing fees. Clearly, western ranchers receive a subsidy in the form of low grazing fees. In fact, the Congressional Budget Office reports that the BLM spends two and one-half to three times as much to administer the grazing program as the fees bring in. For example, Congress has appropriated $45 million for the BLM's range management program for fiscal year 1991, but the agency only took in about $18 million in grazing fee receipts on the 174 million acres of public rangeland it administered in 1990.

I did not support the Synar amendment to the Interior appropriations bill because the Appropriations Committee had included an increase in grazing fees from the current $1.97 to $2.62 per animal unit month [AUM]. I felt the Appropriations Committee was moving in the right direction, and I had hoped that the Interior Committee would take the same action in the BLM authorization bill. I am disappointed that this authorization bill recommends no increase in grazing fees.

Some of my colleagues argue that increasing grazing fees will reduce participation by ranchers in the grazing program, and that will ultimately lead to lower BLM revenues. I share that concern, and I urge the administration

and the Interior Committee to review the Public Rangeland Improvement Act grazing fee formula in effect since 1978. The CBO, however, has reported that a grazing fee hike to $4.35 per AUM will not decrease revenues, but would raise an additional $20 to $25 million over BLM's administrative expenses. Net revenues would increase.

According to the Interior Committee's report accompanying this legislation, a substantial amount of the Federal rangelands is deteriorating in quality, and that installation of additional range improvements could arrest much of that damage to grazing lands, watersheds, and wildlife habitat. Since current law requires the BLM to use 50 percent of grazing fees for rangeland improvement and protection, it is in the best interests of the very ranchers who utilize BLM grazing lands to contribute to the protection and improvement of those lands. Increasing grazing fees on BLM lands will ensure the long-term and sustained use of these valuable public resources.

I believe the evidence clearly calls for fees higher than present levels. By supporting the Regula amendment, I trust we can secure a conference agreement with the Senate that provides for some increases in this area.

It is the right move from the standpoint of rangeland preservation. It is the right move in terms of the budget. It is the right move in terms of fairness to those many livestock producers who do not benefit from grazing on public lands.

Vote "yes" on the Regula amendment.

The CHAIRMAN. All time has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute now printed in the reported bill shall be considered by sections as an original bill for the purpose of amendment, and each section is considered as read.

Debate on the amendment offered by the gentleman from Oklahoma [Mr. SYNAR] or his designee, printed in House Report 102–154, as well as all amendments thereto, shall not exceed 1 hours.

The clerk will designate section 1.

The text of section 1 is as follows:

H.R. 1096

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORIZATION.

There are hereby authorized to be appropriated such sums as may be necessary for programs, functions, and activities of the Bureau of Land Management, Department of the Interior (including amounts necessary for increases in salary, pay, retirements, and other employee benefits authorized by law, and for other nondiscretionary costs), during fiscal years beginning on October 1, 1991, and ending September 30, 1995.

The CHAIRMAN. Are there any amendments to section 1? If not, the Clerk will designate section 2.

Mr. VENTO. Mr. Chairman, I ask unanimous consent that the remainder of the bill be printed in the RECORD and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

Mr. MARLENEE. Reserving the right to object, so that we understand clearly the parliamentary procedure, Mr. Chairman, under my reservation I think I shall not object, but if we are operating under the 1-hour rule, does that mean that all amendments have a total of 1 hour of debate?

Mr. VENTO. Mr. Chairman, if the gentleman will yield to me, my understanding of the rule is that the Synar amendment, and all amendments thereto, is limited to 1 hour.

Mr. MARLENEE. The Synar amendment only.

Mr. VENTO. Just the Synar amendment and amendments thereto that deal with the topic of grazing would be limited to 1 hour.

On the other amendments, since we are under an open rule, we are under the 5-minute rule to govern speaking time of Members on amendments that may be offered during the course of the amending process.

Mr. Chairman, if the gentleman will yield further, my intent here, as the gentleman knows, is simply to open up the bill so that we can offer a number of amendments that are noncontroversial, to dispense with those amendments, and then to move on to those that may engender more controversy.

Mr. MARLENEE. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The text of the remainder of the bill is as follows:

SEC. 2. STATUTORY REFERENCE.

As used hereafter in this Act, the terms "the Act" and "FLPMA" mean the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

SEC. 3. FLPMA DEFINITIONS.

(a) AREAS OF CRITICAL ENVIRONMENTAL CONCERN.—Section 103(a) of the Act (43 U.S.C. 1702(a)) is amended to read as follows:

"(a) The term 'areas of critical environmental concern' means those areas (whether or not previously affected by one or more uses or developments) identified by the Secretary as areas where special management attention is required (which, among other things, may in some instances include restrictions on or prohibitions of any further development) in order—

"(1) to protect important resources and values (including but not limited to environmental, ecological, historic, cultural, scenic, fish and wildlife, and scientific resources or values) located on or likely to be affected by the use of specific portions of the public lands (but Congress does not intend that the Secretary establish protective perimeters or buffer zones around such areas);

"(2) to protect life and provide safety from natural hazards; or

"(3) to protect or enhance the resources and values of a conservation system unit, but it is not the intent of Congress that the Secretary establish protective perimeters or buffer zones around conservation system units.".

(b) CONSERVATION SYSTEM UNIT.—Section 103 of the Act (43 U.S.C. 1702) is amended by adding at the end thereof the following new subsection:

"(q) The term 'conservation system unit' means any unit of the National Park System, National Wildlife Refuge System, National Wild and Scenic Rivers System, National Trails System, National Wilderness Preservation System, or a National Conservation Area, National Recreation Area, or National Forest Monument.".

SEC. 4. MAJOR USES AND INVENTORIES.

(a) DEFINITION.—Section 103(1) of the Act (43 U.S.C. 1702(1)) is amended—

(1) by striking "fish and wildlife development and utilization," and inserting in lieu thereof "maintenance of plant communities, maintenance of fish and wildlife populations and habitat, utilization of fish or wildlife populations,"; and

(2) by striking "and timber production" and inserting in lieu thereof "timber production, reforestation, and scientific research".

(b) INVENTORY.—Section 201(a) of the Act (43 U.S.C. 1711(a)) is amended by striking the period at the end of the first sentence and inserting in lieu thereof "and riparian areas.".

(c) MANAGEMENT DECISIONS.—Section 202(e)(2) of the Act (43 U.S.C. 1712(e)(2)) is amended by striking "the Congress adopts a concurrent resolution" and inserting in lieu thereof "there is enacted a joint resolution".

SEC. 5. PLANNING REQUIREMENTS.

(a) DEADLINES.—Section 202(a) of the Act (43 U.S.C. 1712(a)) is amended—

(1) by designating section 202(a) as section 202(a)(1); and

(2) by adding at the end of section 202(a) the following new paragraphs:

"(2) Land use plans meeting the requirements of this Act shall be developed for all the public lands outside Alaska no later than January 1, 1998, and for all public lands no later than January 1, 2000.

"(3) Land use plans shall be revised from time to time when the Secretary finds that conditions have changed so as to make such revision appropriate or necessary for proper management of the public lands covered by any such plan. The Secretary shall review each plan at least once every 15 years in order to determine the need for or appropriateness of revision of such plan pursuant to this paragraph.".

(b) CRITERIA.—(1) Section 202(c)(1) of the Act (43 U.S.C. 1712(c)(1)) is amended to read as follows:

"(1) use and observe the principles of multiple use and sustained yield set forth in this and other applicable law and evaluate the feasibility of measures, consistent with such principles, that would enhance the extent to which the public lands can support increases in the numbers and types of plant communities and fish and wildlife populations located on or supported by such lands;".

(2) Section 202(c)(3) of the Act (43 U.S.C. 1712(c)(3)) is amended to read as follows:

"(3) give priority to the designation and protection of areas of critical environmental concern and to identification, protection, and enhancement of the ecological, environmental, fish and wildlife, and other resources and values of riparian areas;".

(3) Section 202(c)(5) of the Act (43 U.S.C. 1712(c)(5)) is amended to read as follows:

"(5) consider present and potential uses (including recreational and other nonconsumptive uses) of the public lands;".

SEC. 6. PROFESSIONAL QUALIFICATIONS.

Section 301(c) of the Act (43 U.S.C. 1731(c)) is amended to read as follows:

"(c) In addition to the Director, there shall be a Deputy Director and so many Assistant Directors, State Directors, and other employees as may be necessary, appointed by the Secretary. After May 1, 1989, no person may be appointed as Deputy Director of the Bureau (except for Deputy Director for External Affairs) or as an Assistant Director or State Director who is not

at the time of appointment either a career appointee (as defined in section 3132(4) of title 5, United States Code) or in the competitive service. Other employees shall be appointed subject to provisions of law applicable to appointments in the competitive service, and shall be paid in accordance with the provisions applicable to such service.".

SEC. 7. PENALTIES.

(a) FLPMA.—Section 303(a) of the Act (43 U.S.C. 1733(a)) is amended by striking "no more than $1,000" and by inserting "no more than $10,000".

(b) PUBLIC LAW 92–195.—Section 8 of Public Law 92–195 (16 U.S.C. 1338(a)) is amended by striking "not more than $2,000" and by inserting "not more than $10,000".

SEC. 8. MANAGEMENT OF LANDS AND PUBLIC PARTICIPATION.

(a) IN GENERAL.—The last sentence of section 302(b) of the Act (43 U.S.C. 1732(b)) is amended to read as follows:

"In managing the public lands, the Secretary, by regulation or otherwise, shall take any action necessary to prevent unnecessary degradation of such lands, to minimize adverse environmental impacts on such lands and their resources resulting from use, occupancy, or development of such lands, and to prevent impairment or derogation of the resources and values of conservation system units.".

(b) ADVISORY COUNCILS.—Section 309(a) of the Act (43 U.S.C. 1739(b)) is amended—

(1) by striking the period at the end of the first sentence and inserting in lieu thereof ", including the protection of environmental quality, the management and enhancement of fish and wildlife populations and habitat, and outdoor recreation."; and

(2) by striking the period at the end of the fourth sentence and inserting in lieu thereof ", who shall provide an opportunity for interested members of the public to suggest persons for appointment.".

(c) ACEC REGULATIONS.—Section 310 of the Act (43 U.S.C. 1740) is amended by designating the existing provisions thereof as subsection (a) and adding the following new subsection:

"(b) By regulation, the Secretary shall provide an opportunity for members of the public to propose specific areas for consideration for designation as areas of critical environmental concern pursuant to section 201 of this Act.".

SEC. 9. FUTURE REAUTHORIZATIONS.

Section 318(b) of the Act (43 U.S.C. 1748(b)) is amended by striking "May 15, 1977, and not later than May 15 of each second even numbered year thereafter" and inserting in lieu thereof "January 1, 1993, and January 1 of each second odd-numbered year thereafter".

SEC. 10. PROHIBITION OF SUBLEASING.

Section 402 of the Act (43 U.S.C. 1752) is amended by adding at the end thereof the following new subsection:

"(i) PROHIBITION OF SUBLEASING.—Subleasing is hereby prohibited.

"(2) For purposes of this subsection the following terms shall have the following meanings:

"(A) 'subleasing' means the grazing on public lands or on National Forest lands covered by a grazing permit of domestic livestock which are not both owned and controlled by the holder of the grazing permit.

"(B) 'grazing permit' means a permit or lease of the type described in subsection (a) of this section which has been issued by the Secretary concerned pursuant to applicable law, and which authorizes for a specified term of years the grazing of domestic livestock on public lands or lands within National Forests in the 16 contiguous Western States.

"(3) The Secretary concerned shall require each holder of a grazing permit to annually file an affidavit that such holder owns and controls all livestock which such holder is knowingly allowing to graze on public lands or National Forest lands covered by such holder's grazing permit.

"(4)(A) A grazing permit shall terminate 30 days after the effective date of any lease, conveyance, transfer, or other voluntary action on the part of a holder of a grazing permit which has the effect of removing the privately owned property or part thereof with respect to which a grazing permit was issued from the control of the holder of such permit, and no grazing pursuant to such permit shall be permitted after such termination unless prior to such termination the party that has obtained or will obtain control of such property or part thereof has submitted an application for a grazing permit based on such control, in which case the Secretary concerned may allow grazing to continue if such Secretary has reason to believe that such application is likely to be approved; but such continued grazing shall be for a period no longer than the remainder of the grazing year during which such application was submitted.

"(B)(i) A grazing permit shall terminate upon the death of its holder, but the Secretary may permit grazing to continue on lands covered by such grazing permit for a period not to exceed two years after the date of the death of such holder if necessary or appropriate in order to facilitate the orderly management of the deceased holder's estate.

"(ii) A grazing permit shall terminate upon an involuntary transfer from the control of its holder (including a transfer by operation of law) of the privately-owned property (or portion thereof) with respect to which such grazing permit was issued, but the Secretary may permit grazing to continue on lands covered by such grazing permit for a period not to exceed one year after such involuntary transfer if necessary in order to facilitate the redemption, sale or other disposition of such property or portion thereof.

"(iii) After any continuation of grazing pursuant to either subparagraph (i) or (ii) of this paragraph, any grazing on lands affected by such continuation shall occur only subject to a new grazing permit.

"(iv) Any decision by the Secretary concerned to permit a continuation of grazing pursuant to paragraph (4) shall be discretionary, and this paragraph shall not be construed as vesting in any party any right to graze livestock on any lands owned by the United States or any right to any grazing permit.

"(5) Any holder of a grazing permit who knowingly allows subleasing to occur on public lands or National Forest lands covered by such permit shall forfeit to the United States the dollar equivalent of any value in excess of the grazing fee paid or payable to the United States with respect to such permit, shall be disqualified from further exercise of any rights or privileges conferred by that permit or any other such permit, and shall be subject to the penalties specified in section 303 of this Act.

"(6) Any person other than the holder of a grazing permit who knowingly engages in subleasing shall be subject to the penalties specified in section 303 of this Act.".

SEC. 11. EXEMPTION FROM STRICT LIABILITY.

Section 504(h) of the Act (43 U.S.C. 1764(h)) is amended by adding at the end thereof the following new paragraph:

"(3) No regulation shall impose liability without fault with respect to a right-of-way granted, issued, or renewed under this Act to a nonprofit entity or an entity qualified for financing under the Rural Electrification Act of 1936, as amended, if such entity uses such right-of-way for the delivery of electricity to parties having an equity interest in such entity. However, the Secretary may condition the grant, issuance, or renewal of a right-of-way to such entity for such purpose on the provision by such entity of a bond or other appropriate security, pursuant to subsection (i) of this section.".

SEC. 12. CONGRESSIONAL REVIEWS.

(a) SALES.—Section 203(c) of the Act (43 U.S.C. 1713(c)) is amended by striking "and then only if the Congress has not adopted a concurrent resolution stating that such House does not approve of such designation", and by inserting in lieu thereof "unless there is enacted a joint resolution disapproving such designation".

(b) WITHDRAWALS.—Section 204 of the Act (43 U.S.C. 1713) is amended as follows:

(1) By striking from subsection (c) the words "if the Congress has adopted a concurrent resolution stating that such House does not approve the withdrawal" and by inserting in lieu thereof "if prior to the end of such 90-day period there is enacted a joint resolution disapproving the withdrawal".

(2) By striking from subsection (l)(2) the words "the Congress has adopted a concurrent resolution" and by inserting in lieu thereof "there has been enacted a joint resolution".

SEC. 13. CONFORMING AMENDMENTS.

(a) REPEAL.—Section 215 of the Act is hereby repealed.

(b) GRAZING STUDY.—Section 401 of the Act (43 U.S.C. 1751) is amended by striking subsection (a) and redesignating subsection (b) as subsection (a).

SEC. 14. JUDICIAL REVIEW.

Section 313 of the Act (43 U.S.C. 1743) is hereby amended by adding at the end thereof the following:

"(e) JUDICIAL REVIEW.—The promulgation of regulations, any other action constituting rulemaking, or any other final agency action to implement this section or any other provision of this Act shall be subject to judicial review in accordance with section 1391(a) of title 28, United States Code, upon the petition or complaint of any aggrieved party filed no later than 30 days after such final action, pursuant to section 1391(a) of title 28 of the United States Code, but commencement of such a proceeding shall not operate to enjoin or stay any action, order, or decision of the Secretary unless specifically so ordered by the court. The court shall hear any such petition or complaint solely on the record made before the Secretary or other official taking the action, and any action subject to the judicial review under this subsection shall be affirmed unless the court concludes that such action was arbitrary, capricious, or otherwise inconsistent with law.".

SEC. 15. RIGHTS-OF-WAY FOR OIL, GAS, AND OTHER PIPELINES.

(a) FLPMA.—Section 501 of the Act (43 U.S.C. 1761) is amended—

(1) in subsection (a)(2), by striking "and other than oil, natural gas, synthetic liquid or gaseous fuels, or any refined product produced therefrom," and inserting a comma after "water"; and

(2) by adding at the end of subsection (b) a new paragraph, as follows:

"(4)(A) On and after the effective date of this paragraph, a right-of-way granted or issued pursuant to this section for pipeline purposes for the transportation of oil, natural gas, synthetic liquid or gaseous fuels, or any refined product produced therefrom, shall be granted or issued only to an applicant possessing the qualifications provided in the first section of the Mineral Leasing Act (30 U.S.C. 181) and shall be subject to the requirements of section 28 of such Act (30 U.S.C. 185) as well as to the requirements of this Act; and each renewal of a right-of-way granted or issued after such effective date shall be subject to the same requirements.

"(B) If an applicant for a right-of-way under this paragraph is a partnership, corporation, as-

sociation, or other business entity, the Secretary or agency head shall require the applicant to disclose the identity of the participants in the entity. Such disclosure shall include where applicable (i) the name and address of each partner, (ii) the name and address of each shareholder owning 3 percent or more of the shares, together with the number and percentage of any class of voting shares of the entity which such shareholder is authorized to vote, and (iii) the name and address of each affiliate of the entity together with, in the case of an affiliate controlled by the entity, the number of shares and the percentage of any class of voting stock of that affiliate owned, directly or indirectly, by that entity, and, in the case of an affiliate which controls that entity, the number of shares and the percentage of any class of voting stock of that entity owned, directly or indirectly, by the affiliate.

"(C)(i) The Secretary shall impose requirements for the operation of a pipeline and related facilities to be located on a right-of-way issued under this paragraph that will protect the safety of workers and protect the public from sudden ruptures and slow degradation of the pipeline.

"(ii) The applicant for a right-of-way under this paragraph shall reimburse the United States for administrative and other costs incurred in processing the application, and the holder of a right-of-way shall reimburse the United States for the costs incurred in monitoring the construction, operation, maintenance, and termination of any pipeline and related facilities on such right-of-way and shall pay annually in advance the fair market rental value of the right-of-way or permit, as determined by the Secretary or agency head. The Secretary may authorize an advance payment covering more than one year's rental but less in total than the sum of the amounts otherwise payable over the period covered by such advance payment if the Secretary determines that such a discount for advance payment will promote efficiency of administration and is in the public interest.

"(iii) The Secretary or agency head by regulation shall establish procedures, including public hearings where appropriate, to give Federal, State, and local government agencies and the public adequate notice and an opportunity to comment upon right-of-way applications filed after the effective date of this paragraph.

"(D)(i) Pipelines and related facilities authorized under this paragraph shall be constructed, operated, and maintained as common carriers.

"(ii) The owners or operators of pipelines subject to this paragraph shall accept, convey, transport, or purchase without discrimination all oil or gas delivered to the pipeline without regard to whether such oil or gas was produced on Federal or non-Federal lands.

"(iii) In the case of oil or gas produced from Federal lands or from the resources on the Federal lands in the vicinity of the pipeline, the Secretary may, after a full hearing with due notice thereof to the interested parties and a proper finding of facts, determine the proportionate amounts to be accepted, conveyed, transported or purchased.

"(iv) The common carrier provisions of this paragraph shall not apply to any natural gas pipeline operated by any person subject to regulation under the Natural Gas Act (15 U.S.C. 717 et seq.) or by any public utility subject to regulation by a State or municipal regulatory agency having jurisdiction to regulate the rates and charges for the sale of natural gas to consumers within the State or municipality.

"(v) Where natural gas not subject to State regulatory or conservation laws governing its purchase by pipelines is offered for sale, each such pipeline shall purchase or transport, without discrimination, any such natural gas produced in the vicinity of the pipeline.

"(vi) The Government shall in express terms reserve and shall provide in every lease of oil lands that the lessee, assignee, or beneficiary, if owner or operator of a controlling interest in any pipeline or of any company operating the pipeline which may be operated accessible to the oil derived from lands under such lease, shall at reasonable rates and without discrimination accept and convey the oil of the Government or of any citizen or company not the owner of any pipeline operating a lease or purchasing gas or oil under the provisions of this chapter.

"(vii) Whenever the Secretary has reason to believe that any owner or operator subject to this paragraph is not operating any oil or gas pipeline in complete accord with its obligations as a common carrier hereunder, he may request the Attorney General to prosecute an appropriate proceeding before the Secretary of Energy or Federal Energy Regulatory Commission or any appropriate State agency or the United States district court for the district in which the pipeline or any part thereof is located to enforce such obligation or to impose any penalty provided therefor, or the Secretary may suspend or terminate the grant of right-of-way for such pipeline.

"(viii) The Secretary shall require, prior to granting or renewing a right-of-way under this paragraph, that the applicant submit and disclose all plans, contracts, agreements, or other information or material which he deems necessary to determine whether a right-of-way shall be granted or renewed and the terms and conditions which should be included in the right-of-way. Such information may include, but is not limited to—

"(I) conditions for, and agreements among owners or operators, regarding the addition of pumping facilities, looping, or otherwise increasing the pipeline or terminal's throughput capacity in response to actual or anticipated increases in demand;

"(II) conditions for adding or abandoning intake, offtake, or storage points or facilities; and

"(III) minimum shipment or purchase tenders.

"(E)(i) The Secretary shall report to the House Committee on Interior and Insular Affairs and the Senate Committee on Energy and Natural Resources annually on the administration of this paragraph and on the safety and environmental requirements imposed pursuant thereto.

"(ii) The Secretary shall notify the House Committee on Interior and Insular Affairs and the Senate Committee on Energy and Natural Resources promptly upon receipt of an application for a right-of-way for a pipeline 24 inches or more in diameter, and no right-of-way for such a pipeline shall be granted until after a notice of intention to grant the right-of-way, together with the Secretary's or agency head's detailed findings as to terms and conditions he proposes to impose, has been submitted to such committees.

"(iii) If the Secretary concerned is considering transferring out of Federal ownership any lands covered by a right-of-way granted, issued, or renewed under this paragraph, the Secretary shall so inform the holder of such right-of-way in advance and shall take such actions pursuant to section 508 of this Act as may promote the public interest in continued use of such right-of-way for pipeline purposes.

"(F) In the event of conflict between the provisions of other applicable law (or regulations pursuant thereto) and the requirements of this Act (or regulations pursuant thereto) with respect to rights-of-way for purposes described in this paragraph, the Secretary concerned shall apply the more restrictive provisions.

"(G) This paragraph shall take effect on the effective date of regulations promulgated by the Secretary for the implementation of this paragraph, or the date which is one year after the date of enactment of this paragraph, whichever first occurs.".

(b) MINERAL LEASING ACT.—Subsection (a) of section 28 of the Mineral Leasing Act (30 U.S.C. 185(a)) is amended by adding at the end thereof the following new sentences: "On and after the effective date of paragraph (4) of section 501(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761(b)(4)), such rights-of-way through public lands managed by the Bureau of Land Management or lands within the National Forest System shall be granted pursuant to applicable provisions of title V of such Act (43 U.S.C. 1761 et seq.), and shall be subject to the applicable requirements of such Act and regulations issued pursuant thereto as well as to applicable provisions of this section (including but not limited to subsections (d), (f), (h), (j), (k), (m), (n), (o), (p), (z), and (y) thereof) and regulations issued pursuant thereto. In the event of conflict between the provisions of such Act (or regulations pursuant thereto) and this section (or regulations pursuant thereto), the more restrictive provisions shall apply.".

(c) SAVINGS PROVISION.—Nothing in this section shall apply to any right-of-way granted, issued, or renewed prior to the effective date of the new paragraph (4) added to section 501(b) of the Act by this section, or to any renewal after such date of any such right-of-way that has remained in continuous service and has not been terminated for noncompliance with applicable requirements of law or regulations. Nothing in this section shall be construed as preempting any State or local substantive or procedural law or standard, including any such standard relating to public health and safety, environmental protection, or siting, construction, operation, or maintenance applicable to any right-of-way or facilities thereon if such standard is more stringent than a corresponding standard established by applicable Federal law.

SEC. 16. CLAIMED RIGHTS-OF-WAY.

The Act is hereby amended by adding at the end of title III the following new sections 319 and 320:

"SEC. 319. RECORDATION OF CLAIMED RIGHTS-OF-WAY.

"(a) FILING REQUIREMENTS.—(1) Any party claiming to be a holder of a right-of-way across public or other Federal lands for the construction of a highway pursuant to a grant made by Revised Statutes section 2477 (43 U.S.C. 932) that became operative before repeal of such section on October 21, 1976, shall, on or before January 1, 1994, file for record in the office or offices of the Bureau of Land Management responsible for management of public lands within the State or States wherein such claimed right-of-way is located either a notice of intent to hold and maintain the right-of-way or a notice of abandonment of such party's claim to be the holder of such right-of-way. A notice of intent to hold and maintain such a right-of-way shall be accompanied by information concerning the actual construction, maintenance, and public use on which such party bases its claim to have established such a right-of-way, and by such other information regarding the uses, location, and extent of such claimed right-of-way as the Secretary of the Interior may require. The Secretary may allow information already in the possession of the Bureau of Land Management to be included by reference to the documents in which such information is recorded.

"(2) A party filing a notice pursuant to paragraph (1) shall also simultaneously file a copy thereof in the appropriate office of any other agency responsible for management of any Federal lands traversed by the claimed right-of-way, and shall give public notice of the party's intention to hold and maintain or to abandon

the claimed right-of-way by publication of information concerning such intention in one or more newspapers of general circulation in the areas where the affected lands are located.

"(b) EFFECT.—(1) The failure of any party subject to the requirements of subsection (a) to file the notices or to publish the information required to be filed and published by such subsection within the time specified by such subsection shall be conclusively deemed to constitute an abandonment and relinquishment of a right-of-way with respect to which such filing and publication is required by such subsection.

"(2) Recordation pursuant to this section shall not, of itself, render valid any claim which would not otherwise be valid under applicable law or provide a basis for changing the scope, alignment, or character or extent of use of any claimed right-of-way; and nothing in this section shall be construed as waiving, altering, or otherwise affecting any terms or conditions applicable to any right-of-way under this Act or any other applicable law.

"(c) INVESTIGATIONS.—(1) Upon receipt of a notice filed pursuant to subsection (a) that a party intends to hold and maintain a claimed right-of-way involving any lands specified in paragraph (2) of this subsection, the Secretary of the Interior, acting through an appropriate officer of the Bureau of Land Management or (if any portion of a claimed right-of-way covered by this subsection is located within a unit of the National Park System) of the National Park Service, shall conduct an investigation to determine the validity of each such claimed right-of-way. The Secretary shall provide an opportunity for the public to contest or request an investigation of the validity of any other claimed right-of-way.

"(2)(A) The Secretary shall investigate the validity of each claimed right-of-way any portion of which involves—

"(i) any lands within the National Park System, the National Wild and Scenic River System, or the National Wilderness Preservation System; or

"(ii) any lands being managed so as to preserve their suitability for designation as wilderness, pursuant to section 603 of this Act or any other provision of law or regulation; or

"(iii) any area of critical environmental concern; or

"(iv) any other lands whose use for highway purposes would be inconsistent with the land-use plans for those lands.

"(B) The Secretary shall also investigate any claimed right-of-way not involving lands specified in subparagraph (A) but with respect to which a challenge is filed that states grounds which, if proved or confirmed, would constitute reason to doubt the validity of such claimed right-of-way or any portion thereof.

"(3) If any portion of such claimed right-of-way is on Federal lands managed by an agency other than the Bureau of Land Management or the National Park Service, the investigating officer shall request the comments of such agency with respect to the validity of such right-of-way.

"(4) Appropriate notice to the public, including the owners of any non-Federal lands affected by the claimed right-of-way, shall be provided with respect to initiation of each investigation carried out pursuant to this paragraph, and the investigating officer shall provide an opportunity for the public to submit comments concerning the subject of the investigation.

"(5) If information or comments submitted to the investigating officer demonstrate that there is a dispute as to any relevant facts with respect to the validity of a right-of-way subject to an investigation under this paragraph, the parties to such dispute shall be afforded an adjudicatory hearing on the record with respect to such disputed issues of fact. Any such adjudicatory hearing shall be before a qualified administrative law judge whose findings shall govern disposition of such issues of fact in any determination concerning the validity of a claimed right-of-way, subject to administrative and judicial review under applicable provisions of law.

"(6) If after an investigation pursuant to this paragraph, the investigating officer finds either that a claimed right-of-way or portion thereof is valid or that there is reason to doubt the validity of such claimed right-of-way or portion thereof, notice of such finding and the reasons therefor shall be provided to the party claiming the right-of-way and to all other affected parties, including the public.

"(7) For purposes of this section, if any portion of a claimed right-of-way includes lands managed pursuant to section 603 of this Act, that fact shall constitute a reason to doubt the validity of such portion of such right-of-way.

"(d) APPEALS.—(1) Any claimed right-of-way or portion thereof with respect to which it is found, pursuant to subsection (b), that there is reason to doubt the validity, shall be deemed to be invalid unless, within 30 days after such finding the party claiming the right-of-way has filed with the Secretary of the Interior an appeal of such finding, and the Secretary thereafter determines the right-of-way to be valid. Any party other than the party claiming the right-of-way, may intervene in any appeal filed under this paragraph in support of the finding of invalidity by filing with the Secretary a notice of such intervention within the period allowed for filing of the appeal.

"(2) Any finding by the investigating officer with regard to the validity or invalidity of a claimed right-of-way or portion thereof valid shall become final unless within 30 days after such finding a notice of appeal of such finding is filed with the Secretary of the Interior.

"(3) Any decision by the Secretary with regard to an appeal under this subsection shall be made after the party claiming or contesting a right-or-way has been provided with the evidence upon which the investigating officer's finding regarding its validity or invalidity was based and has been given an opportunity to respond, including an adjudicatory hearing on the record with respect to any disputed issues of fact.

"(4)(A) Pending a final determination of validity with respect to a claimed right-of-way that is subject to an appeal under this subsection, the Federal land covered by such claimed right-of-way shall be managed in accordance with applicable law (including this Act) and management plans as if such right-of-way did not exist, except that such lands may continue to be used for lawful transportation, access, and related purposes of the same nature and to the same extent as was properly permitted by the Secretary on the date of enactment of this section. Any such continued uses shall be subject to appropriate regulations to protect the resources and values of the affected lands.

"(B) Upon a final determination of invalidity with respect to a claimed right-of-way subject to an appeal under paragraph (3), Federal lands covered by such claimed right-of-way shall be managed in accordance with applicable law and management plans.

"(C) A determination by an investigating officer as to the validity or invalidity of a claimed right-of-way may be appealed to the Secretary by any person, provided such appeal is made no later than 30 days after the determination of the investigating officer. Any person filing such an appeal shall be afforded an adjudicatory hearing on the record with regard to any disputed issue of fact. Any decision of the Secretary regarding such an appeal shall be subject to judicial review.

"(5) Any decision by the Secretary pursuant to this subsection shall be subject to judicial review under applicable provisions of law, but nothing in this subsection shall be construed as affording any right to seek or participate in any judicial proceeding by any party not otherwise entitled to seek or participate in such proceeding.

"(e) CHANGE IN USE.—Any change in the scope, alignment, or character of use of a valid right-of-way established pursuant to Revised Statutes section 2477 shall be subject to terms and conditions required by section 505 of this Act or other applicable law.

"(f) SAVINGS CLAUSE.—Nothing in this section shall be construed as increasing or diminishing the requirements of any applicable law with respect to establishment, construction, or maintenance of a highway for purposes of obtaining a valid right-of-way pursuant to Revised Statutes section 2477 prior to its repeal.

"SEC. 320. RIGHT-OF-WAY IN ALASKA CONSERVATION SYSTEM UNITS.

"Nothing in this Act shall be construed as exempting any proposal for any construction on or change in the scope, alignment, or character or extent of use of any portion of any right-of-way claimed to have been established pursuant to Revised Statutes section 2477 on any lands within any conservation system unit in Alaska from the requirements of title XI of the Alaska National Interest Lands Conservation Act.".

SEC. 17. WILD HORSE SANCTUARY REPORT.

(a) WAITING PERIOD.—The Secretary shall take no action to remove any animals covered by Public Law 92–195 (commonly known as the "Wild Free-Roaming Horses and Burros Act") from any area being operated, under an agreement with the Secretary, as a sanctuary for such animals on May 22, 1991, or to alter arrangements existing on such date for care and maintenance of such animals, sooner than 120 days after transmittal to the House Committee on Interior and Insular Affairs and the Senate Committee on Energy and Natural Resources of the report required by this section.

(b) REPORT.—(1) The Secretary of the Interior shall report to the committees specified in subsection (a) concerning the status of the sanctuaries specified in such subsection and any alternative arrangements that the Secretary may be considering to assure the continued longterm welfare of the wild horses located on such sanctuaries on May 22, 1991, with a detailed estimate of the costs and advantages or disadvantages of such alternatives as compared with continuation of arrangements in effect on such date for such animals.

(2) Prior to transmitting the report required by this section to the committees specified herein, the Secretary shall provide an opportunity for the public to make suggestions concerning the alternative arrangements to be discussed in such report, and to review and comment on the report.

SEC. 18. TABLE OF CONTENTS AMENDMENTS.

The table of contents of the Act is amended by inserting after the item relating to section 318 the following new items:

"Sec. 319. Recordation of claimed rights-of-way.

"Sec. 320. Right-of-way in Alaska Conservation System Unit.".

AMENDMENT OFFERED BY MR. VENTO

Mr. VENTO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VENTO: Page 14, line 10, through page 22, line 8: strike section 15 in its entirety, and renumber subsequent sections accordingly.

Mr. VENTO. Mr. Chairman, this is a very simple amendment. It would delete section 15 from the bill entirely.

Section 15 is the part of the bill that would amend FLPMA so as to bring under that act the issuance and management of rights-of-way for oil and gas pipelines.

Currently, rights-of-way for other purposes are governed by FLPMA, but rights-of-way for oil and gas pipelines are issued and managed under the Mineral Leasing Act. The purpose of this part of the bill is simply to bring uniformity to this aspect of management of public lands.

After the bill was ordered reported, but before the report had been filed, the chairman of the Committee on Energy and Commerce wrote to Chairman MILLER, indicating that the Energy and Commerce Committee believed that it would be entitled to a sequential referral of the bill because of a jurisdictional interest in this part of the bill.

On behalf of the Interior Committee, Chairman MILLER responded that we do not agree that a sequential referral would be in order under the rules of the House, but in the spirit of cooperation and comity, we would move to delete this section.

That is all that this amendment would do. In my opinion, section 15 of the bill is sound and desirable, but under the circumstances it can be set aside now and dealt with later, in the interests of expediting action on the remainder of this BLM reauthorization bill.

Mr. MARLENEE. Mr. Chairman, will the gentleman yield?

Mr. VENTO. I yield to the gentleman from Montana.

Mr. MARLENEE. Mr. Chairman, I have no objection to the amendment. There is no objection on this side to the withdrawal of section 15.

If the gentleman from Minnesota would answer a question, that extends through what page?

Mr. VENTO. Page 22, all of section 15.

Mr. MARLENEE. Pages 14 through 22, section 15?

Mr. VENTO. Yes, the gentleman is correct.

Mr. MARLENEE. Mr. Chairman, I have no objection and would urge this amendment be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. VENTO].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SYNAR

Mr. SYNAR. Mr. Chairman, I offer an amendment on behalf of myself, the gentleman from Georgia [Mr. DARDEN] and the gentleman from Massachusetts [Mr. ATKINS].

The Clerk read as follows:

Amendment offered by Mr. SYNAR: Page 31, after line 16 (at the end of the bill), add the following new section:

SEC. 19. GRAZING ON THE PUBLIC RANGELANDS.

(a) FEE STRUCTURE AND GRAZING REFORMS.—Section 401 of the Act (43 U.S.C. 1751), as amended by section 13(b) of this Act, is amended by adding at the end the following new subsections:

"(b)(1) Notwithstanding any other provision of law, the Secretary of Agriculture with respect to public domain lands (except for the National Grasslands) administered by the United States Forest Service where domestic livestock grazing is permitted under applicable law, and the Secretary of the Interior with respect to public lands administered by the Bureau of Land Management where domestic livestock grazing is permitted under applicable law, shall establish the following domestic livestock grazing fee structure for such grazing:

"(A) For fiscal year 1992, the grazing fee on such lands shall not be less than $4.35 per animal unit month.

"(B) For fiscal year 1993, the grazing fee on such lands shall not be less than $5.80 per animal unit month.

"(C) For fiscal year 1994, the grazing fee on such lands shall not be less than $7.25 per animal unit month.

"(D) For fiscal year 1995, and each fiscal year thereafter, the grazing fee on such lands shall not be less than $8.70 per animal unit month or fair market value, whichever is higher.

"(2)(A) For purposes of this subsection, the term 'fair market value' is defined as follows:

$$\text{Fair Market Value} = \text{Appraised Base Value} \times \text{Forage Value Index}/100$$

"(B) For the purposes of subparagraph (A)—

"(i) the term 'Forage Value Index' means the Forage Value Index computed annually by the Economic Research Service, United States Department of Agriculture; and

"(ii) the term 'Appraised Base Value' means the 1983 Appraisal Value conclusions by animal class (expressed in dollars per head or pair month) for the pricing area concerned, as determined in the 1986 report prepared jointly by the Secretary of Agriculture and the Secretary of the Interior entitled 'Grazing Fee Review and Evaluation', dated February 1986.

"(3) Executive Order No. 12548, dated February 14, 1986, shall not apply to grazing fees established pursuant to this Act.

"(c) The grazing advisory boards established pursuant to Secretarial action, notice of which was published in the Federal Register on May 14, 1986 (51 Fed. Reg. 17874), are hereby abolished, and the advisory functions exercised by such boards shall, after the date of enactment of this sentence, be exercised only by the appropriate councils established under this section.

"(d) Funds appropriated pursuant to section 5 of the Public Rangelands Improvement Act of 1978 (43 U.S.C. 1904) or any other provision of law related to disposition of the Federal share of receipts from fees for grazing on public lands or National Forest lands in the 16 contiguous western States shall be used for the restoration and enhancement of fish and wildlife habitat, for restoration and improved management of riparian areas, and for implementation and enforcement of applicable land management plans, allotment management plans, and regulations regarding use of such lands for domestic livestock grazing. Such funds shall be distributed as the Secretary concerned deems advisable after consultation and coordination with the advisory councils established pursuant to section 309 of this Act and other interested parties.".

(b) REPEAL OF PRIOR AUTHORITY.—Section 5 of the Public Rangelands Improvement Act of 1978 (43 U.S.C. 1904) is amended by striking out subsection (c) and redesignating subsection (d) as subsection (c).

Mr. SYNAR (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The CHAIRMAN. Pursuant to the rule, debate on this amendment and all amendments thereto shall not exceed 1 hour.

The gentleman from Oklahoma [Mr. SYNAR] is recognized for 5 minutes.

PARLIAMENTARY INQUIRY

Mr. MARLENEE. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MARLENEE. Mr. Chairman, how much time is allocated to this side?

The CHAIRMAN. At this time, there is no allocation and the Committee will proceed under the 5-minute rule, unless the Committee of the Whole agrees to a division of the time.

Mr. MARLENEE. Who has control of the time, Mr. Chairman?

The CHAIRMAN. Any Member seeking recognition will be recognized for 5 minutes. The rule is silent as to the allocation.

Mr. VENTO. Mr. Chairman, if the gentleman will yield to me, would a unanimous-consent request be in order to divide the time equally between the gentleman from Oklahoma [Mr. SYNAR] and a Member opposing the Synar and other related amendments?

The CHAIRMAN. That will be a proper request, if the gentleman would wish to make it.

Mr. SYNAR. Mr. Chairman, if the gentleman will yield, as the gentleman knows, not only is this an amendment to the bill, but there is probably going to be a second amendment to that. I think it would probably be better if we allowed the debate to proceed and then the gentleman from Ohio will be offering an amendment and be given an opportunity to debate his amendment.

Mr. VENTO. At some point, Mr. Chairman, I think we ought to divide the time. I will try to negotiate something with the minority side.

The CHAIRMAN. Perhaps the gentleman from Minnesota and the gentleman from Montana can agree on a unanimous-consent request that would follow the initial statement of the gentleman from Oklahoma.

Mr. SYNAR. Mr. Chairman, almost one year ago in October the House made a very important decision on behalf of our natural resources. We made a decision that we were going to make sure that we got the fair market value for the lands which are grazed throughout our country. Since that time, I have done my very best as the chairman of the Oversight Committee on

Government Operations in charge of Environment, Energy and Natural Resources, to provide the leadership necessary to make sure that we made the right decision back in October.

One year since that fateful day we presented to the Members for their consideration an updated GAO report, which took into account not only the facts that we have found leading into the October vote last year, but literally reviewing every document, every shred of evidence that had ever been written or talked about during the tenure of the grazing fee.

I also took the opportunity as the chairman of the Oversight Committee to travel out West to States like Colorado, New Mexico, and Arizona, to visit firsthand with the people who were involved in the grazing program throughout this country.

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After this period of time I came to the conclusion as GAO did in its report of just a month ago, that not only are the grazing fees too low in this country but they have been too low for too long a time.

The facts that we debate today are really not in debate. Only 2 percent of the cattle industry in this country enjoys the grazing benefits. Of those 2 percent, 10 percent of our grazing permittees control over 50 percent of the lands which are involved in grazing in this country.

A second fact is that we lose $150 million a year on our grazing permits. We have lost over $650 million in the last 5 years. And finally, it is undebatable that 60 to 70 percent of our grazing lands in this country are in poor or unsatisfactory condition.

Since that debate of October of last year, not one of those three basic facts has ever been refuted, and yet they have tried to change the debate into one of emotion and motive.

First of all, they accuse the authors, Mr. DARDEN, Mr. ATKINS and myself of not understanding the grazing situation in this country. After we brought to their attention that all three of us are former agricultural people involved in 4-H throughout our lives, they changed the debate. They then began to call us vegetarians, ecoterrorists, people who were for cattle-free in 1993. When they realized that none of us was trying to eliminate grazing on Federal lands, they dropped that argument.

Finally, they have come up with the argument that what we are going to do by this amendment is we are going to destroy literally the way of life in the West in the cattle industry as we know it. Yet, they have provided no evidence in the last year to substantiate that claim. In fact, if anything, the fact that it affects only 8 percent of the cattle industry west of the Mississippi and the fact that New Mexico doubled its grazing fee in the last year and not one grazing permittee dropped the lease, really begs the question.

Today the choice is very clear and very clean: If you want to quit subsidizing 2 percent of the cattle industry in this country, you must support the Darden-Atkins-Synar amendment. If you want to pay for this program and make it pay as it goes, you must support the Darden-Atkins-Synar amendment. If you want to protect our national assets and our natural resources for future generations, you must support the Darden-Atkins-Synar amendment. And if you want to start running this grazing program like a business, then you must support the Darden-Atkins-Synar amendment.

To do anything less denies the facts; to do anything less denies the impact. The time is now for leadership, accountability and fairness.

Support the Darden-Atkins-Synar amendment.

AMENDMENT OFFERED BY MR. REGULA AS A SUBSTITUTE FOR THE AMENDMENT OFFERED BY MR. SYNAR

Mr. REGULA. Mr. Chairman, I offer an amendment as a substitute for the amendment.

The Clerk read as follows:

Amendment offered by Mr. REGULA as a substitute for the amendment offered by Mr. SYNAR: In lieu of the matter proposed to be inserted, insert:

Page 31, after line 16 (at the end of the bill), add the following new section:

SEC. 19. GRAZING ON THE PUBLIC RANGELANDS.

(A) FEE STRUCTURE.—Section 401(a) of the Federal Land Policy Management Act of 1976 (43 U.S.C. 1751), as amended by section 13(b) of this Act, is hereby amended by adding at the end the following new subsection:

"(b)(1) Notwithstanding any other provision of law, the Secretary of Agriculture, with respect to National Forest lands in the 16 contiguous western states (except National Grasslands) administered by the United States Forest Service where domestic livestock grazing is permitted under applicable law, and the Secretary of the Interior with respect to public domain lands administered by the Bureau of Land Management where domestic livestock grazing is permitted under applicable law, shall establish beginning with the grazing season which commences on March 1, 1992, an annual domestic livestock grazing fee equal to fair market value: *Provided*, That the fee charged for any given year shall not increase nor decrease by more than 33.3 percent from the previous year's grazing fee.

"(2)(A) For purposes of this subsection, the term 'fair market value' is defined as follows:

Fair Market Value=Appraised Base Value × Forage Value Index divided by 100.

"(B) For the purposes of subparagraph (A)—

"(i) the term 'Forage Value Index' means the Forage Value Index (FVI) computed annually by the Economic Research Service, United States Department of Agriculture, and set with the 1991 FVI equal to 100; and

"(ii) the term 'Appraised Base Value' means the 1983 Appraisal Value conclusions for mature cattle and horses (expressed in dollars per head or per month), as determined in the 1986 report prepared jointly by the Secretary of Agriculture and the Secretary of Interior entitled 'Grazing Fee Review and Evaluation,' dated 1986, on a westside basis using the lowest appraised value of the pricing areas adjusted for advanced payment and indexed to 1991.

"(3) Executive Order No. 12548, dated February 14, 1986, shall not apply to grazing fees established pursuant to this Act."

"(c) The grazing advisory boards established pursuant to Secretarial action, notice of which was published in the Federal Register on May 14, 1986 (51 Fed. Reg. 17874), are hereby abolished, and the advisory functions exercised by such boards, shall, after the date of enactment of this sentence, be exercised only by the appropriate councils established under this section.

"(d) Funds appropriated pursuant to section 5 of the Public Rangelands Improvement Act of 1978 (43 U.S.C. 1904) or any other provision of law related to disposition of the Federal share of receipts from fees for grazing on public domain lands or National Forest lands in the 16 contiguous western States shall be used for restoration and enhancement of fish and wildlife habitat, for restoration and improved management of riparian areas, and for implementation and enforcement of applicable land management plans, allotment plans, and regulations regarding the use of such lands for domestic livestock grazing. Such funds shall be distributed as the Secretary concerned deems advisable after consultation and coordination with the advisory councils established pursuant to section 309 of this Act and other interested parties.".

Mr. REGULA (during the reading). Mr. Chairman, I ask unanimous consent that the substitute amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VENTO. Mr. Chairman, would it be appropriate at this time to offer an even distribution of the time? First, Mr. Chairman, how much time remains?

The CHAIRMAN. Fifty-five minutes remain.

Mr. VENTO. Mr. Chairman, I ask unanimous consent that the gentleman from Ohio [Mr. REGULA] be recognized for 5 minutes as would be his right, that 22½ minutes be yielded to a Member in favor of the Regula-Synar amendment, and that 27½ minutes be yielded to a Member opposed to that, who I assume would be Congressman MARLENEE.

The CHAIRMAN. The Chair would clarify the gentleman's unanimous-consent request: He indicates he wishes the gentleman from Ohio to have 5 minutes, which would leave 50 minutes to be equally divided. Or would the gentleman's 5 minutes be included within the 55 minutes to be divided?

Mr. VENTO. Mr. Chairman, I would want Mr. REGULA's time to be included in that.

Mr. Chairman, I would ask that 27½ minutes be yielded, or that the time be divided equally between myself and Mr. MARLENEE and that we would then control the time and I would yield to Mr. REGULA such time as he may need to

describe his amendment, and Mr. MARLENEE would control and yield such time in opposition to the Synar and/or Regula amendments.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

Mr. MARLENEE. Mr. Chairman, reserving the right to object, how much time do I have to yield to the opposition?

Mr. VENTO. Mr. Chairman, if the gentleman will yield, the gentleman would have half of the 55 minutes, or 27½ minutes.

Mr. MARLENEE. I thank the gentleman.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The CHAIRMAN. The gentleman from Minnesota [Mr. VENTO] will be recognized for 27½ minutes, and the gentleman from Montana [Mr. MARLENEE] will be recognized for 27½ minutes.

The Chair recognizes the gentleman from Minnesota [Mr. VENTO].

Mr. VENTO. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. REGULA].

Mr. REGULA. I thank the gentleman for yielding time to me.

Mr. Chairman, I am pleased that at long last we are having the debate on grazing fees on this bill, the BLM reauthorization. In recent years this issue has been the subject of debate in the Interior Appropriations Subcommittee on which I serve as the ranking Republican, and the real issue—the fairness of the Federal grazing fee—has gotten lost in procedural issues. Today the real issue of an equitable level at which to set Federal fees for grazing on public lands can be fairly and openly debated, unfettered by procedural entanglements.

Let me say from the outset that I do not believe any of us on this floor today can definitively say what the proper grazing fee should be. After reading all of the voluminous literature, I am convinced that the current formula has succeeded in keeping the fee artificially low and that it is time for a change.

I am also convinced, as my colleague, the gentleman from Oregon said in a "Dear Colleague" this week, that for those who oppose my amendment and the amendment of the gentleman from Oklahoma, "the bottom line is that no increase is acceptable". And this my friends is really what this debate is about.

My amendment has two basic differences from the Synar amendment.

Whereas the gentleman from Oklahoma's amendment sets a floor on grazing fees, mine essentially would set a ceiling. Grazing fees could not increase by more than 33.3-percent in any one year. In 1992 for example, the maximum fee would be $2.63 under my amendment. The Synar amendment sets the fee at a minimum of $4.35 in 1992.

The second difference involves the basis used for calculating fair market value. Fair market value would be calculated using the appraised value of grazing lands in the area which has the lowest land values. Mr. SYNAR chose the highest basis, the pricing area basis and my amendment would choose the lowest base value the westwide basis which results in a much lower fee increase.

Another significant point is that the Bureau of Land Management has done an analysis of the revenue impact under both Mr. SYNAR's amendment and mine which shows that while revenues would begin to drop off in 1993 under the Synar amendment based on an estimated decline in AUM's sold, under my amendment, revenues continue to increase through 1995 with no estimated decline in AUM's sold. In other words, under my amendment, the projected demise in the western livestock industry would not occur.

The current grazing fee of $1.97 per AUM is inconsistent with the Federal Land Policy and Management Act mandate which requires the Government to receive fair market value for its public land resources.

In fact, the recent GAO report concluded that the formula meets an objective of promoting the economic stability of western livestock grazing operators and is intentionally designed to keep fees low. It does not recover reasonable program costs or provide a revenue base that can be used to better manage and improve Federal lands.

In fact, while private land lease rates have increased streadily over time, the current formula has kept Federal fees relatively low and within a fairly narrow range. The gap between Federal grazing fees and private land lease rates is wide and growing. Over the past 10 years the Federal grazing fee has dropped 15-percent while private rates have increased 17 percent.

Proponents of the status quo argue that the costs associated with operating on public lands are significantly higher than on private lands. In fact, the current formula has taken that concern into account twice by double counting ability-to-pay factors.

The formula has further suppressed the fee by emphasizing cost elements most affected by inflation and market changes, such as fuel and equipment costs and excluding those that tend to increase less over time such as feed and fertilizer.

If one looks at the costs associated with the grazing program the fee does not even cover the Government's costs of management of the grazing program. The Forest Service reports that it costs $3.86 per AUM to manage its livestock grazing program. The current grazing fee of $1.97 leaves a shortfall of $1.89 per AUM.

The BLM says its livestock grazing management costs represent 60-percent of its total rangeland management budget totaling about $21 million in fiscal year 1990. Gross grazing receipts during this same year were about $19 million.

In fact, the loss to the Federal Treasury, however, is even greater because the Treasury retains, at most, only 37.5-percent of the grazing fees collected. Of the gross Federal grazing fee revenue, between 12.5-percent and 50-percent of BLM collections and 25-percent of Forest Service collections are returned to the State and county government in which they were collected.

In addition, 50-percent of the collections are returned to BLM and the Forest Service to fund various range improvements—fences, water development, et cetera—all of which benefit the permittee. Range improvement funds ultimately expended are in addition to these program management costs.

Moreover, BLM and the Forest Service have recognized that existing levels of program management and range improvements are insufficient to perform all important management functions and restore lands damaged by grazing activity. A 1990 BLM report found that the agency needed a nearly 50-percent increase in its range management budget from fiscal year 1989 levels to accomplish its program management objectives.

The artificially low grazing fees currently in place benefit only 2-percent of all livestock producers and only 7-percent of all livestock producers in the 16 western States. It is time the subsidy ended and we begin to receive fair market value for the rights to graze on Federal lands.

□ 1510

Mr. MARLENEE. Mr. Chairman, I yield 2 minutes to my colleague, the gentleman from Oregon [Mr. SMITH].

Mr. SMITH of Oregon. Mr. Chairman and Members, I rise in opposition to the substitute of the gentleman from Ohio [Mr. REGULA]. The gentleman from Ohio will try to convince us that a 33-percent increase in the grazing fee is fair and equitable to the cattle industry in the West, and it is not. Any increase that would displace thousands of commercial ranch operations is not fair and is not equitable, and it would cause the cattle industry in the West to become extinct in 6 years.

Now do not be mistaken. This is not a 33⅓-percent increase. This changes the fair market value we are currently under in America under the Public Ranch Improvement Act enacted in 1978 from $1.23 to $4.68. That, my colleagues, is a 380-percent increase. So,

do not be fooled by this 33⅓-percent business.

Mr. Chairman, a noted range economist from Oregon State University, who I had analyze the amendment of the gentleman from Ohio [Mr. REGULA], suggested this: In the first 3 years it would displace 1,900 small commercial ranch operations; within 4 years, two-thirds of the western livestock ranchers, and finally, in 6 years there would be no more western livestock operations and, therefore, no more income.

Despite these wild accusations we hear, people suggest that we are going to lose $150 million. Not so. The amendment of the gentleman from Ohio [Mr. REGULA] does not account for the differences in range forage between the Virginia countryside and the rock flats of the West.

Remember this: There are about 31,000 family operations in America; 88-percent of them make less than $28,000 annually. Now may I say that again? Twenty-seven thousand two hundred eighty people make less than $28,000 a year. Who are these big operators anyway?

Mr. MARLENEE. Mr. Chairman, I yield 1 minute the gentleman from Utah [Mr. HANSEN].

Mr. HANSEN. Mr. Chairman, I appreciate the gentleman from Montana [Mr. MARLENEE] yielding this time to me.

Mr. Chairman, in this short time that I have in this 1 minute just let me say this. There is an old saying around that says, "You won't hurt a dog if you cut off his tail an inch at a time." Now I really think that the amendment of the gentleman from Oklahoma [Mr. SYNAR] cuts if off in one fell swoop, and the amendment of the gentleman from Ohio [Mr. REGULA] does it in 5 years, and the best information we have got is this amendment of the gentleman from Oklahoma [Mr. SYNAR] takes it in 1 year, they are gone, and the amendment of the gentleman from Ohio [Mr. REGULA] does it in 5 years.

Now I have great respect for the gentleman from Ohio [Mr. REGULA], an absolutely outstanding person, but here I think we are going to fool ourselves. We think this is a free environmental vote. It is not. We will fool ourselves if we do not think that we are going to kill the grazing industry, because we are.

Let me just say, Mr. Chairman, those folks are sitting in their offices and are going to come over and vote on this. Please, folks, keep in mind three things we are going to do. Number one, we are going to lose money for the Federal Government. BLM has told us it is going to go from 18 million to 1 million. Number two, some of the best range managers in the West have said that we are going to hurt the environment. For years we have been working on taking care of the environment. Number three, 31,000 families take gas.

Mr. VENTO. Mr. Chairman, I yield 4 minutes to the gentleman from Georgia [Mr. DARDEN], a sponsor of the grazing issues in the Committee on Interior and Insular Affairs.

Mr. DARDEN. Mr. Chairman, to summarize, our amendment increases grazing fees over a 5-year period so that by fiscal year 1995, the BLM would charge $8.70 for the privilege of grazing on public lands. This fee, while on the low side when compared to those charged for leasing private lands, is based on the BLM's own determination of the forage consumed by trespassers on public lands. The amendment also abolishes wasteful and outdated grazing advisory boards, which continue to make decisions about the expenditure of grazing fee receipts on the basis of a commitment to increased profits for cattle ranchers rather than to the range improvements required by law. Finally, the amendment provides that the grazing fees collected by BLM will be used appropriately, for repairs and improvements on the rangelands.

We offer this amendment again because this is the legislation to which it should be attached. The Bureau of Land Management controls a significant portion of the grazing lands, and any changes in grazing fees or permit process should be made by the authorizing legislation. Our preference would have been to proceed to consideration of H.R. 1096 before Interior appropriations came to the floor, but scheduling considerations precluded this approach.

As most of you know, I have been working on grazing fee increases for about 5 years now. The fee currently charged by the Government for use of public lands, $1.97, is well below comparable fees charged on private lands, and does not generate enough revenue to pay for the costs of operating this program.

Grazing permits are not entitlements nor does anyone hold an inherent right to graze on public lands. Grazing on public lands amounts to a privilege offered at the Government's sufferance; a program established for mutual benefit. But when the grazing program does not generate enough revenue to maintain the land, and when the resource is significantly damaged by continued use, it becomes a burden rather than in asset.

Grazers are profiting from public rangelands. Most of those who currently hold permits can well afford the increase; in fact, many are owned by large corporations and ranchers with major holdings.

The House has heard our case twice in the last year, and I see no need to waste anyone's time by restating the obvious. Our opponents clearly have not been convincing; their arguments have failed to address the glaring inequities in the current operation, and I urge my colleagues to once again support our efforts to end the free ride for wealthy ranchers, and to help us enact a fee that is reasonable and responsible.

Mr. MARLENEE. Mr. Chairman, I yield 2 minutes to the gentleman from Idaho [Mr. LAROCCO].

Mr. LAROCCO. Mr. Chairman, I rise today in strong opposition to Representative SYNAR's proposal to raise grazing fees on public rangelands.

Mr. Chairman, like Yogi Berra, "I'm having deja vu all over again." Just 29 days ago, I stood here in the well of the House opposing the same bad proposal to radically increase grazing fees on the public lands. And, here we are again, attempting to legislate, without hearings and adequate testimony, on a far-reaching proposal to drive ranchers off the public lands.

Let's look back for a minute. In 1978, Congress consulted, compromised, and constructed a commonsense solution to the problem of deteriorating rangelands. That solution was called the Public Rangelands Improvement Act [PRIA]. Thousands of hours of hard work went into this landmark piece of legislation. Numerous hearings were held in both bodies of Congress. As a matter of fact, more than 14,000 personal interviews were conducted with public and private land ranchers, scientists, economists, and the financial community, taking 3 years to complete. The market-based compromise enjoyed the support of groups such as the National Association of Conservation Districts, Society for Range Management, Wyoming Sierra Club, Northern Great Plains Sierra Club, Wyoming Wilderness Society, and Wyoming Outdoor Council; all supported the PRIA compromise.

The reason that the PRIA formula had, and still enjoys, broad support is that it is market oriented. The PRIA formula creates a fair market value for livestock grazing on public lands that is adjusted annually according to production costs, market prices, and private land lease rates. The PRIA formula is market oriented based upon the Forage Value Index, an index of annually surveyed grazing land lease rates in the Western States. Thus, when beef prices are high and ranchers can afford to pay higher fees, the fee increases. Under this formula, grazing fees increased nearly 9 percent last year.

Make no mistake. The issues of range management are complicated. They require intricate environmental and economic considerations. There is conflicting data and information about nearly every aspect of this entire issue.

For example, we have heard from the proponents of this meat-ax approach that our rangelands are in bad condition. However, according to the "State of the Public Range 1990" published by the BLM:

The current trend is stable to improving on over eighty-seven percent of public range-

lands. According to the report, the "public rangelands are in a better condition than at any time in this century."

The Society for Range Management said in a 1989 report titled "Assessment of Rangeland Condition and Trend of the United States":

Current management practices are adequately protecting the soil and are acceptably maintaining or improving plant species composition and production.

Prof. Thadis Box, of New Mexico State University, supported this conclusion. According to Professor Box:

American rangeland has improved over the past 40 to 60 years and is in much better condition than it was 80 years ago. Today, science is available to use grazing animals as tools to improve the landscape and enhance environmental stability.

The point is, Mr. Chairman, this debate should be returned to a proper forum, a place where testimony can be heard, facts submitted, and a well-thought-out solution can be formulated. That place is the Interior Committee.

In closing I want to say that I have an incredible amount of respect for this institution and its Members and I would urge my colleagues to reject the Synar proposal and allow the germane committees to complete their work. As a Member from a public land State with nearly 38 million acres of Federal land, where cattle represent a larger industry than our famous potatoes, and where nearly 90 percent of the cattle raised spend some time on the public range, I can tell you this legislation is a bad idea and we're going about it in the wrong way.

□ 1520

Mr. VENTO. Mr. Chairman, I reserve the balance of my time.

Mr. MARLENEE. Mr. Chairman, I yield 2 minutes to the gentleman from Wyoming [Mr. THOMAS].

Mr. THOMAS of Wyoming. Mr. Chairman, I thank the gentleman for yielding to me.

I rise in opposition to the amendment by the gentleman from Oklahoma [Mr. SYNAR] and the gentleman from Ohio [Mr. REGULA].

I thank the gentleman from Ohio [Mr. REGULA] for what he is doing. I think his is more reasonable but still an unnecessary amendment to this bill.

As has been pointed out, we have been over this ground a number of times. There is hardly anything new to say.

Let me summarize some of the things that have been talked about that I guess need to be reviewed. One is, this amendment is unwarranted and an oversimplification. The comparison is always made to private leasing, private land leasing. There is no similarity at all between having a lease, sometimes a joint lease, on public lands and leasing private lands in terms of having water provided, fencing provided, transportation, and those things.

It has also been mentioned that these fees simply help large corporations raise livestock. That has not been raised today, but I am sure it will be before we are through. Eighty-eight percent of the grazing permittees on BLM lands are classified as family operations. Certainly that is the case in my State.

Grazing is beneficial to the resources, particularly for those of wildlife and hunters. Ranchers provide for land-water development, noxious weed control, increased forage growth. These are improvements to that resource that are enjoyed by others in addition to the grazers.

BLM has pointed out in Wyoming that the Wyoming conditions are better than they were a century ago, 6½ percent of the rangelands are in excellent condition; 50 percent are in good condition, and nearly 40 percent in fair condition by their own assessment.

Contrary to the statements made by the sponsors of the legislation, there is a contribution to the public treasury. The Director of the BLM testified before our committee that the cost to administer with the livestock provides some net return when the cost with no livestock would of course be a direct drain.

Finally, I am concerned this is a regional issue. This Congress is here for national policy. Multiple use is good national policy.

Mr. VENTO. Mr. Chairman, I yield 4 minutes to the gentleman from Massachusetts [Mr. ATKINS], a member of the Subcommittee on Interior of the Committee on Appropriations and active on this issue.

Mr. ATKINS. Mr. Chairman, I rise in support of the Regula amendment to the Synar amendment. Mr. Chairman, we have raised the issue of whether this is a public subsidy or not. Let me just make the record very clear. Not only is this a subsidy, this is one of the richest, sweetest, most narrowly focused subsidies that the Federal Government offers.

It is a subsidy, first of all, because we pay in taxpayer money $60 million more to maintain this rangeland than we take it in the fees each year. It is a subsidy because there is a fair market value established and a market rate established for these leases, and it is $9.22 per animal unit month, and the Federal Government charges only $1.97 per animal unit month.

It is finally a subsidy because the IRS itself has accepted it as a subsidy and indeed the opposition groups in their white paper have established very clearly the fact that if one has land, one has a permit, it has a value. The value is $600 per animal unit month. That is a value that the IRS has set, has been recognized, and a value that the Cattlemen's Association, the Wool Growers, have placed on this in talking about the capitalizations and the capitalization costs and how they affect the cost to private individuals.

Who is getting the subsidy? Is it just the small cattleman? Is it just that poor guy who is making $20,000 or $30,000 a year, his family? It is not.

I have a list here that the gentleman from Oklahoma [Mr. SYNAR] had to virtually drag out of the Bureau of Land Management of 300 of the largest people and who they are who have the bulk, I might add, the bulk of the total acreage, 90 percent of the acreage.

They are large corporations: Union Oil, Getty Oil, Texaco. There are foreign operations, Zenchiku Co., a Japanese-based meat company that leases 41,000 acres of United States taxpayer subsidized Federal ranchland in Montana. And yes, 88 percent of these people are private individuals, but the bulk of that land that is controlled by private individuals is controlled by a small percent of those individuals, people like Mr. Daniel H. Russell, of Santa Barbara, CA. He controls over 5 million acres of public rangelands, according to the BLM records.

This is a person who controls a ranch, a public subsidy, a Government grant in perpetuity virtually of an area that is larger than my State of Massachusetts. So this is not an issue of small ranchers. It is not an issue of destruction of a western way of life.

It is a subsidy that goes to less than 2 percent of the cattlemen in this country, that distorts the market forces for that industry, and it is a subsidy that is going, 90 percent of that subsidy is going to 10 percent of the corporations and individuals who are lessees.

Just to give my colleagues an idea of how sweet this subsidy really is, the gentleman from Ohio [Mr. REGULA] asked the BLM and the Forest Service how many people, if his amendment passes, how many people do they estimate will get out of the program. Not a one. The estimate from BLM and the Forest Service, the people who support this provision, is that they would not lose a single lessee with these increases.

Mr. MARLENEE. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, we hear so much about the question of subsidy and grazing on public lands. My esteemed colleagues, the gentleman from Massachusetts, surely would support an effort to remove the subsidy from grazing winter wheat in Oklahoma. One of the greatest subsidies in the United States of America, they seed the winter wheat in the fall. They graze it all fall. They graze it during the winter. They graze it in the summer, and then collect a subsidy in Oklahoma on grazing winter wheat.

It would seem to me that if we are going to remove subsidy, that would be one place where the greatest subsidy exists and we could cut.

Mr. Chairman, I yield 1 minute to the gentleman from Colorado [Mr. CAMPBELL].

□ 1530

Mr. CAMPBELL of Colorado. Mr. Chairman, I rise in strong support of H.R. 1096, the bill authorizing funding for the Bureau of Land Management.

As many know, the congressional district I represent is comprised of more than 7 million acres of public lands that are managed by the BLM. The programs the BLM administers are crucial to the economic well-being of nearly every community in the district.

Since the Federal Land Policy and Management Act [FLPMA] was passed in 1976, public attitudes toward Federal land management have been radically transformed. While no one can argue that oil and gas development and timber harvesting are unimportant, no one could foresee that the recreation industry would replace natural resource exploitation industries as Colorado's most reliable source of income.

For instance, Grand Junction, CO, promotes Kokepelli's Trail, a 125-mile mountain bike trail that extends from Grand Junction to Moab, UT. In Montrose, Delta, and Gunnison, CO, the communities have united to support the designation of Black Canyon of the Gunnison National Conservation Area to blend hiking, river rafting, and fishing in the Gunnison River with the protection that wild and scenic river and wilderness designation will afford this area. In Cortez, CO, oil and gas development competes with archeological resource protection as the area's highest priority.

This increased attraction to the beauty of the lands BLM manages has increased the scrutiny on BLM management policies. As a result of this scrutiny I believe some fine tuning of the BLM's basic mission is necessary to allow the BLM to keep pace with changing public attitudes and needs.

Unless the BLM is given the authority to address issues that have been raised by the Interior Committee and the General Accounting Office, national environmental groups will continue to blame my constituents for the BLM's shortcomings.

My support is not unconditional, however, and I am adamantly opposed to the amendment by my colleagues Mr. SYNAR and Mr. REGULA to increase grazing fees. If that amendment is accepted, it will tip the scales and make it impossible for the reforms contained in this legislation to reach the President's desk.

In closing, I want to thank Chairman VENTO for being sensitive to my past concerns with respect to this bill, for crafting an acceptable compromise and to urge him and others to oppose any amendments that will hurt this bill's chances for passage.

Mr. VENTO. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. MILLER], the chairman of the Committee on Interior and Insular Affairs.

Mr. MILLER of California. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in support of the Synar-Darden-Atkins amendment and the amendment offered by the gentleman from Ohio [Mr. REGULA].

Mr. Chairman, we did debate this amendment just a few short weeks ago, and the House spoke overwhelmingly at that time that it wanted an adjustment to these fees and to this program.

Mr. Chairman, as was mentioned in the general debate and the debate on the rule, the Regula amendment really goes to the issue of fairness. There is a great deal of emotion around this issue, on both sides, around the question of fairness.

But I think it goes to the question of whether or not the taxpayer, the Federal Government, is entitled to a fair return, to fair market value as is put forth in the amendment of the gentleman from Ohio [Mr. REGULA].

Mr. Chairman, I think that fairly states the case, because no private sector landlord would engage in the practices that we are asking the Federal Government to engage in here. He would ask at a minimum he get the cost of doing business, or the fair market value of those lands.

As has been pointed out here time and again, those lands are sublet for much higher fees than the Federal Government receives from the original lessee. Why are we the middleman, the person to enable that? What about the taxpayers that are paying for this program? That is what the Regula amendment goes to, and it is an amendment to Synar-Darden.

Mr. Chairman, I think this is an important piece of legislation. This is a program, mind you, where they have paid in the last decade some $200 million in grazing fees. Half of that money went immediately back to those same ranchers, to the same farmers, for the improvements that have allowed them to continue to ranch and farm this land.

The $112 million did not go to the Treasury, it did not go to offset the deficit, it did not go for any of those public purposes. It went right back into the pockets of the people that paid the Government in the first place.

Mr. Chairman, they paid at a subsidized rate, a less than fair market rate, and then we gave half of it back to them. We rebated half of the rents they paid back to them so they could build the ponds, so they could build fences, so they could build the gates, so they could build the support systems for grazing.

Out of that $112 million that we sent back to these people, they are unable to account for half of it. BLM tells us that they do not know how they spent over half of the money that we rebated to them.

Mr. Chairman, it is a little difficult to have them come in at this hour and cry poor, have them cry unfairness, when over half of the subsidized rates that they paid to the Government was given right back to them for them to determine how to be spent, without any oversight by BLM, without any oversight by this Congress, and now we find out they cannot tell us how they spent the money.

Mr. Chairman, I think the gentleman from Ohio [Mr. REGULA] is on to something, because if they have not spent the money in that fashion, they have sublet it. As the gentleman from Ohio [Mr. REGULA] pointed out earlier, in the private market, the rents are going up. In the public market, the rents are going down. The price of beef at the slaughterhouse is always the same. That is why I think consumers, or the ratepayers, are entitled to this kind of consideration offered by the gentleman from Ohio [Mr. REGULA].

Mr. Chairman, I rise in strong support of the Synar-Darden amendment to bring equity and sanity to the critical public land use issue of grazing fees and ranchland policy.

The Synar-Darden amendment will end the gross and unfair domination of public ranchland decision making by a privileged ranching elite. At a time of tight Federal budgets and a bull market for beef, this amendment couldn't be more welcome—it will save taxpayer's money, improve the management of public lands, and restore the ethic of efficiency and reasonableness to a public resource program that has run amok.

Far from being an objective assessment of the cost of grazing on public lands, the current grazing fee formula is a boondoggle for public land ranchers. The formula overestimates ranchers' grazing costs and underestimates the benefit of the subsidy. The grazing fees are below fair market price, noncompetitive, and do not even cover the Government's operational costs. The Bush administration, unfortunately, supports this taxpayer abuse. The General Accounting Office, however, concluded that the grazing fee formula accomplishes one and only one purpose of the range program—to keep fees as low and stable as possible.

Cattle ranchers and their supporters say that it is hard enough to turn a profit as a rancher these days and that they need these fat subsidies to stay in business. In fact, times couldn't be better for cattle ranchers. As today's Wall Street Journal reports, the Agriculture Department expects cattle revenues to surpass the $40 billion record the industry set last year. The Cattleman's Association says that beef prices last year rose nearly 9 percent. Cattle ranching is the strongest sector of the farm economy. "There's a bull market for beef, returning boom times to cattle country," the Journal reports.

We have all heard of crocodile tears, but this is the first time I have heard of cattle tears. How much more than $40 billion a year do cattle ranchers have to earn before the Nation's taxpayers get some relief? It is time to

pay the going rate for grazing on the taxpayer's land.

Unfortunately, the public land ranchers have had a key accomplice in its crusade to keep grazing fees as low as possible—the Bureau of Land Management, which has failed to play its proper role in managing these public lands. The BLM is supposed to mediate the competing interests on Western lands, but today this Federal agency more closely resembles the ranchers' front office than a trusted public agent.

The Bureau appoints dozens of advisory boards made up exclusively of public land ranchers. These boards are given authority over half of the public revenues that they and other public land ranchers generate by paying these noncompetitive, below-cost fees. The fund that they control is supposed to be used to benefit many public resources. Not surprisingly, this special interest group that controls the boards decides to spend almost all the money on things that directly benefit themselves.

The Bureau and the ranchers do not even have to account to the public for how these public revenues are spent.

Congress terminated the grazing advisory boards in 1986, but they live on by virtue of an Executive order. It is bad enough when they stay within their mandate to tell the BLM how to benefit themselves by spending $10 million of the fees they have paid. Unfortunately, the record clearly shows many instances of the boards knowing no limits and financing lobbying trips to Congress and other unauthorized activities.

The BLM cannot account for at least half of the $10 million annual range betterment fund. It is supposed to be used for wildlife, watershed management, and grazing-related range improvements. From what we can tell, more than 96 percent of it has gone to grazing improvements.

The Synar-Darden amendment substitutes a reasonable formula for the current sweetheart deal. It eliminates the grazing advisory boards. The range betterment fund is left in the hands of the more representative multiple-use advisory boards. And it redirects the fund toward the pressing and grossly underfunded problems of wildlife habitat, riparian enhancement, and management and enforcement of grazing allotments.

The Synar-Darden amendment is the right thing to do and I urge my colleagues to support it.

Mr. MARLENEE. Mr. Chairman, I yield 1½ minutes to the gentleman from Utah [Mr. ORTON].

Mr. ORTON. Mr. Chairman, the Synar amendment before us today is ill-considered and more than a little bit dangerous.

It's ill-considered because it assumes that fees returned to the government from grazing should equal the costs of administering the grazing program. Applying this kind of complete-repayment-for-value-provided logic to other uses of public lands leads to some startling conclusions.

I have here a study conducted by Dr. Bruce Godfrey, a professor of economics at Utah State University. He's analyzed public lands management for 13 Western States, and the results are quite interesting.

If we look at the administrative cost of the grazing program, we see that the Government spends about $5.50 on grazing for every dollar received in fees. But that looks good when we look at some of the other ratios for public lands. The National Park System spends $11.60 for every dollar returned. For recreation and wildlife on BLM lands, a stunning $152 is spent for every dollar returned to the Federal Treasury. Mr. Speaker, if our goal here today is to equalize revenue with costs it is clear where the most pressing need for attention lies—and it is not in the area of grazing fees.

My purpose here today is not to suggest prohibitive entrance fees for our national parks. With Arches, Canyonlands, and Zion, Utah contains a number of the crown jewels of our national park system, and I wouldn't for a minute want to limit the access of the average American to these pristine areas. But this kind of logic, complete-repayment-for-value-provided, reflecting a toll-road mentality as my colleague from Montana so aptly called it, just doesn't make sense when you consider the multiple uses we have for public lands.

Consider also the dangerous financial implications of raising grazing fees over 400 percent. For western farm credit associations the impact on loan portfolios is likely to be dramatic.

These farm credit associations have relied upon the value of grazing permits not just for the purpose of borrower financial statements, but also as collateral on loans they have made to the ranching community. Any increase in grazing fees, especially one over 400 percent, will make those assets less valuable. The rancher will face a diminished or negative cash flow. The farm credit association is left holding an under collateralized loan, perhaps even one that is uncollectible.

In Arizona, 16.4 percent of the farm credit services portfolio is in livestock loans to ranchers on public lands. These loans total $27.7 million a year.

Nevada's farm credit system holds over $60.7 million in loans for public lands grazing, for a total of 42.9 percent of the portfolio held by the Production credit Association and the Federal Land Bank Association.

In my home State of Utah, the statistics are even more ominous. Over 60 percent, or approximately $120 million of the portfolio of The Federal Land Bank Association of Utah and Utah Production Credit Association is in livestock loans.

Mr. Chairman, the astronomical increase in grazing fees contained in the Synar amendment would deal a body blow to our farm credit system. It is estimated that under the Farm Credit Administration guidelines, many of these loans will have to be classified as nonperforming-other high risk.

Commercial banks will not escape unscathed either. I have here a letter from the Utah Banker's Association, which reads in part:

Any increase, let alone the proposal of up to 400 percent, will seriously jeopardize their (Utah's farmers and ranchers) ability to service existing debt. In addition, new or increased financing will be out of the question for many sheep and cattle operations.

Existing loans, in the eye of regulators, may become classified as under collateralized and additional security may be insisted upon to make up the shortfall. If additional security is not available it could force foreclosure proceedings.

Mr. Chairman, I have here today numerous letters describing the impact on western commercial banks and the agricultural community they serve. The picture is grim. A representative sample of those opposing the Synar amendment includes the Utah Banker's Association, the Wyoming Banker's Association, and banks in New Mexico, Nevada, Colorado, North Dakota, and South Dakota.

In short, sharply higher grazing fees will have a devastating impact on our farm credit system including the borrowers and stockholders in the farm credit system. Agricultural credit to ranchers with outside grazing will dry up, and farm credit across the board will become even harder to come by. The economic health of rural communities will suffer yet again.

I urge my colleagues to reject the Synar amendment. It is based on flawed assumptions. And its effects will be devastating to rural communities throughout the West.

Mr. Chairman, I include for the RECORD a letter from the Utah Banking Association:

UTAH BANKERS ASSOCIATION,
Salt Lake City, UT, July 22, 1991.

To: Pam Neal, Public Lands Council, FAX (202) 638-0607.

From: Lawry Alder, President, Utah Banker Association.

Subject: Grazing Fee Increase Legislation.

The proposed grazing fee increase legislation before congress, if enacted, will impose a serious unfair financial burden on Utah's farmers and ranchers.

Any increase, let alone the proposal of up to 400 percent, will seriously jeopardize their ability to service existing debt. In addition, new or increased financing will be out of the question for many sheep and cattle operations.

Another factor often overlooked is the decreased value of permits if costs go up. In these cases, while permits cannot be pledged as security, they are factored into the ranchers ability to service the debt when a loan is applied for. Existing loans, in the eye of regulators, may become classified as under collateralized and additional security may be insisted upon to make up the shortfall. If additional security is not available it could force foreclosure proceedings.

This legislation should be defeated.

Mr. MARLENEE. Mr. Chairman, I yield 1 minute to the gentleman from Arizona [Mr. KOLBE].

Mr. KOLBE. Mr. Chairman, I rise in opposition to the Regula amendment and the Synar amendment, and want to take a moment briefly to show Members this chart.

Mr. Chairman, I know it is difficult to see this. This is not a forest fire out here, all these red dots. These are wells and water tanks that are paid for by the rancher.

This is a ranch in Coconino County, AZ. It shows over 100 wells and water tanks, at a cost of more than $30,000 a year to maintain. In 1989, $50,000 was spent by this rancher just to maintain the water tanks on this particular ranch.

Then look at the green lines here. That is fencing. He spent more than $2,200 to build each mile of those fences, 132 miles of fence, maintained by this rancher, not by the public, not by the taxpayers, not by BLM. It costs $50 a year per mile, over $60,000 per year, to maintain those fences, just to keep them in condition.

Then you have the purple lines, the roads which the rancher maintains. Those are the roads used by the rest of the public, the recreation users, the wildlife people. Those are roads that other people use. But the rancher pays for those and maintains those roads.

Those are the kinds of expenses that a rancher has on these public lands, that someone who is a private leaseholder does not have.

Mr. Chairman, I urge Members to consider these kinds of things when they talk about how ranchers are getting ripped off. It just simply is not true, when they talk about how the public is getting ripped off. It simply is not true.

Mr. MARLENEE. Mr. Chairman, might I inquire how much time remains?

The CHAIRMAN pro tempore (Mr. MAZZOLI). The gentleman from Montana [Mr. MARLENEE] has 16½ minutes remaining, and the gentleman from Minnesota [Mr. VENTO] has 11½ minutes remaining.

Mr. MARLENEE. Mr. Chairman, I yield 1 minute to the gentleman from Idaho [Mr. STALLINGS].

Mr. STALLINGS. Mr. Chairman, I rise in opposition to the Synar amendment, and to the Regula substitute. I oppose this amendment for two reasons.

First, I believe it represents an end-run around the authorizing process. The National Parks and Public Lands Subcommittee has held a number of hearings on this issue over the last few years. It has not passed this legislation and the full House should not do so now by writing this legislation on the floor. Second, this amendment would be an onerous burden to western permittees who view it as a raise of some 500 percent over the current price.

I have long maintained that the current fee system that was first mandated by Congress as part of the Public Rangelands Improvement Act of 1978 is fair to both the grazing permittees and the Federal Government.

The Federal grazing fee is determined by a formula set by Congress in 1978 with bipartisan support, including that of the Carter administration. The formula was later extended by President Reagan by Executive order and has since been upheld in Federal court.

The current fee is based on market conditions, and goes up or down depending on three market variables that are measured by the Government each year: private lease rates, beef cattle prices, and production costs in 11 Western States.

It is a reflection of market value because of the additional costs incurred by a producer in running cattle on public lands. Federal permittees must bear many additional nonfee costs not borne by private lessees. Public rangelands are less productive for feed, allowing lower carrying capacities. Transportation costs are greater, water hauling, fence repair, doctoring of sick animals and protection from predators all are costs paid by the producer and must be recognized in any comparison of fees for public versus private grazing costs.

Studies show that when these additional costs are added to the Federal grazing fee, the cost of grazing on public lands equals or surpasses private lease rates.

Western States, including my own State of Idaho, can offer substantial proof that the public grazing system is a vital part of their economic vitality, as well as being an organized program to manage public lands.

Mr. Chairman, the vast majority of the 31,000 ranchers who graze cattle and sheep on western public lands run small, family-owned operations. They simply cannot afford this kind of increase. These are not corporations, these are ranches which have been in the family for generations, and this amendment will put them out of business. Let's keep that in mind when we vote to increase the Federal fees more than 500 percent.

Mr. Chairman, I appreciate this opportunity to speak today and I encourage my colleagues to reject this amendment.

I include for the RECORD a study by a University of Idaho livestock specialist.

The University of Idaho livestock specialist believes the fourfold increase in Federal grazing fees now pending in Congress would cause the Idaho cattle industry to contract dramatically and shift calf production out of the West.

Jeff Mosley concedes the result would be a short-term improvement in the condition of public range but problems for migratory wildlife like elk.

With nine of every 10 head in Idaho spending at least some time on Federal range, the House-passed proposal to hike fees for grazing on Federal land from $1.81 to $8.70 a month per animal would drive most Idaho cattlemen out of business, he said. "It would certainly mean fewer cattle and fewer producers," Mosley said. "A significant number of the calves in the Great Plains States come from Idaho and the Mountain States so there would have to be a shift in calf production. * * * There probably wouldn't be much calf production in the West."

An assistant professor of range resources, Mosley said that as a result of reduced grazing prompted by the hike, "in the short term there would be some improvement in conditions" on the range although he maintained most areas are well managed now.

Non-migratory wildlife would probably benefit the most because they would not be competing with as many head of cattle, he said. But for migratory wildlife, the situation would probably worsen.

Now, migratory wildlife can take advantage of winter and summer cattle range while producers tend to tolerate at least some herd loss to depredation.

"But if ranchers are driven off public land, they're going to have to make do with smaller acreages, and they're not going to be willing to tolerate competition from wildlife," Mosley said.

In addition, the contraction of the livestock industry if Federal grazing opportunities become scarce would translate into fewer ranches with the deeded land held by out-of-business ranchers would likely be subdivided or sold off for recreational purposes.

"You're seeing that in the Sun Valley area right now," Mosley said. "Ranching created winter range in the Wood River Valley, but that range has been sold off. Now, Fish and Game has to feed wildlife in the winter."

He also speculated that if grazing declines on the Federal range because of the cost, local governments would suffer financially since the amount of cash raised from grazing would likely decline and with it their share of the take.

□ 1540

Mr. MARLENEE. Mr. Chairman, I yield 2 minutes to the gentleman from North Dakota [Mr. DORGAN].

Mr. DORGAN of North Dakota. Mr. Chairman, a carpenter would probably refer to both of these proposals as being a half a bubble off plumb. Surely it cannot be on the level. To say to a rancher in western North Dakota you have had a 46-percent increase in rent since 1987, and now what we propose to do is quadruple it in the coming years, that surely cannot be on the level.

The ranchers I represent in western North Dakota rent the rangelands out there. I grew up in that area. I have ridden a horse across those rangelands. Maybe we ought to have to saddle up before we discuss this, and get a little fresh air so that we will really get the facts on the table.

The fact is this is not a subsidy. The fact is those people out there are good people. They work hard. They do not ask for much and they pay a fair lease.

There are two motives, it seems to me, for these proposals. One is that we will somehow, by quadrupling the rent, increase the revenues to the Federal Government. How many landlords quadruple the rent and find they have more money coming in? What they find

is they have more vacancies, and that is exactly what will happen here. We will drive people off those rangelands and, frankly, that is what some people want to do.

That is the second motive. "No moo in '92; cattle-free in '93," We have all heard that phrase; that is the motive. I am not suggesting it is in these amendments, but some people do not want livestock on rangelands. It seems to me that does not make much sense.

The BLM testified that the rangelands have never been in better shape in this century than now, and part of that is because of the stewardship of those people out there, the ranchers who have used that land in a productive way, in a very responsible way for the grazing of livestock.

No, this is not a subsidy, and I hope we will not find those who want to quadruple the rent for our family ranch operators are on the level. That cannot be on the level. We must insist on a fair deal for the ranchers.

Yes, we can discuss grazing fees, but not on the floor of the House in a quadrupling amendment. That makes no sense.

Mr. MARLENEE. Mr. Chairman, I yield 1 minute to my colleague, the gentleman from Colorado [Mr. ALLARD].

Mr. ALLARD. Mr. Chairman I rise in opposition to Representatives SYNAR'S and REGULA'S amendments. The American cattleman lives on the edge. Working from sunup to sundown, 7 days a week, he hopes to make $20,000 a year. Fixed costs are high. Debt burdens are heavy. Fluctuations in the market are frequent. He's not getting rich.

And that's pretty typical. Most of the 31,000 ranchers who graze cattle and sheep on western lands run small, family-owned operations. They are small family-owned operations who rarely make more than $28,000 annually.

Compound this humble situation with the patchwork ownership patterns of western land. The ranchers have no real choice in between using public or private property. On the contrary, they depend on a balanced mix of adjacent public and private lands if their livestock operations are to be viable.

In States like Colorado, where more than 36 percent of the land is owned by the Government, or Nevada, where 85 percent of the State is owned by the Government, this is especially true.

Because public and private lands are deeply intermingled in the West, cattlemen need both to feed their herds. In the West, a cattleman requires 68.5 acres per animal. This means that a cattleman's herd must be constantly rotated to follow the seasonal availability of forage and water. Many times this situation can force him to drive some 75 miles daily. But there's a limit—cows aren't commuters and land isn't portable. If you price the public lands forage beyond what is reasonable, the cattlemen will be out of business.

Without continued public land livestock grazing, the opportunities for rural economic development will vanish. Please consider: 88 percent of the cattle produced in Idaho, 64 percent in Wyoming, 63 percent in Arizona, and 25 percent in Colorado all depend on public grazing lands. Even the Director of the BLM maintains that significant increases in grazing fees "would result in a devastating impact on the Western States, where the ranching areas have historically low base values."

Let's not cripple the American cattlemen all the more. The existing PRIA formula is fair, predictable, and indexed to market values. It has been pointed out to me by Colorado ranchers that when you add up the total costs, using public rangelands is often as high, or often higher, than the cost of using private lands. Consistent and fairly priced public livestock grazing land is crucial to U.S. cattle and sheep production. No one is more concerned with the viability of western public rangelands resources than the ranchers who are its stewards. All of us, ranchers and nonranchers alike depend on this partnership, one that benefits the Nation as a whole.

Mr. MARLENEE. Mr. Chairman, I yield 2 minutes to the gentleman from Oklahoma [Mr. BREWSTER].

Mr. BREWSTER. Mr. Chairman, I thank the gentleman for yielding some time to me today.

Mr. Chairman, I come from a background of being in the cattle business, growing up in a rural area.

Oklahoma has almost no land involved in this dispute. But I can tell Members from experience that the cattle business in this Nation is largely responsible for the low price of food and the availability of food that we have in America. I can also tell Members with pretty predictable results that if this amendment is passed there will certainly be a lowering in the number of cattle out there, and certainly an increase in the price of food.

I took the opportunity to call some places in Oklahoma and check and see what it would cost to lease land to run cattle. The supporters of the amendment say that the people are being subsidized who are currently running cattle. I can tell Members that is not the case.

In Oklahoma it costs anywhere from $25 to $40 per cow unit per year on an annual basis to graze cattle. On these units on the Federal land it is about $23.97 on an annualized basis, so there is very little difference in this regard.

I can also tell Members with fairly predictable results that if this amendment passes they will see, first off, a lowering in the price of beef because about 20 percent of the cattle in this Nation will go to market. Then we will see about 5 years down the road a tremendous increase in the price of beef and, ultimately, an importation of food.

I know that we do not want to import the energy that we use in this Nation. I can tell Members it will be a catastrophe if we have to start importing the food that we use in this Nation.

So I would urge Members to be realistic. Look at what is fair. Look at what is in the best interests of everybody in this country.

About 20 percent of the cattle in the Nation are grazed at one time or another on public lands. About 20 percent of the public lands currently go unused because no one can break even at today's rates, so an increase of this magnitude will certainly eliminate a lot of the cattle that are out there today and certainly cost the consumer more in the long run.

I would urge Members to oppose this amendment.

Mr. VENTO. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, I rise in support of the Regula amendment and would urge my colleagues to support it. I think it is a reasoned approach. It is very similar to the Synar amendment in some respects. It does provide for a more gradual phase-in of an increased fee, recognizing that that would be of some help to those holding grazing permits on public lands.

Mr. Chairman, early in our history anyone could graze without cost on public lands. It was looked upon as a public benefit to have people settle and to develop the ranches and the farms across the western part of the United States and other parts of this Nation.

Then in the 1930's, of course, a nominal charge was put in place, and that nominal charge is what remains today.

Clearly there are a host of different problems related to water rights, to grazing permits, and the fact that these are passed on from generation to generation so people develop feelings of ownership to what are public lands, as something to which they are entitled. Congress today should know that the costs are in terms of per animal unit month [AUM], well above the $1.97 per AUM that we receive.

We cannot repeal the laws of supply and demand, and what happens here is that the accumulation of grazing permits by larger and larger corporations results in some 340 corporations controlling 90 percent of the public grazing lands.

I am surprised to hear the gentleman from Oklahoma [Mr. BREWSTER] talk about how many grazing allotments go unbid or unused. That is news to me. I was not aware of that and believe there is some misunderstanding. I know that fewer animal unit months can go on a plot of land during these arid conditions and harsh weather conditions

that have prevailed the past 4 or 5 years.

There has been a lot of change occurring, regarding land use policies. One change we should recognize today and tomorrow is that the National Government need not subsidize the beef production through the grazing formula through the Public Range Improvement Act any longer. We need not do that.

□ 1550

Congress has been led to maintain a policy at the national level where individuals that act as if they own these lands or have these grazing permits in reality turn around and then sublet the land out at significantly higher price than the PIRA $1.97 per AUM.

I think that that should tell us something. There are many producers across this country who have no such advantage in terms of producing beef or producing other products, and that should also tell us that it is about time to make some changes with regard to the grazing formula and charges for grazing fees and restore a level playing field to farmers and ranchers across the country rather than providing for the subsidy to those who should not be receiving such.

This Regula amendment in effect combines parts of the Synar amendment with elements from a bill introduced by our colleague from Georgia, Mr. DARDEN, on which the subcommittee on national parks and public lands has held hearings in this current Congress and in other sessions over the last several years.

This amendment, like that of the gentleman from Oklahoma, would increase public rangeland grazing fees. As would the Synar amendment, it also would replace the present formula used for setting grazing fees with an alternative identified and analyzed by the Interior and Agriculture Departments in their 1986 report on grazing fees.

Unlike the Synar amendment, however, this amendment would phase in the higher fees by limiting annual increases. Under the Regula amendment, next year's fee would be $2.62 per AUM, rather than the $4.35 fee that would be set by the Synar amendment, and future increases would be similarly limited.

Another difference between this amendment and the proposals of Mr. SYNAR and Mr. DARDEN is that this amendment would retain a single grazing fee for all western rangelands, rather than establishing a number of separate pricing areas.

Mr. Chairman, as I have noted before, reform of the present formula is long overdue. While the present fee formula does tend to stabilize the grazing fee—and so works for stability in western rural communities—it has serious flaws.

Those flaws in the present formula keep the fees too low, not only as compared with the rates for private forage but also compared with the grazing fees applicable to lands of other Federal agencies and of the Western States themselves.

The formula in the Regula amendment does not have these flaws. It would eliminate the features of the present formula—especially the double-counting of producers costs—that now skew the outcome and result in excessively low fees.

Like the Synar amendment—and like the Interior appropriations bill passed by the House last month—this amendment would make other important changes in the management of grazing on the public rangelands of the West.

Like the Synar amendment, this amendment would abolish the grazing advisory boards and transfer their functions to the multiple-use advisory councils provided for the FLPMA.

Like the Synar amendment, this amendment would broaden the purposes for which the Federal share of the grazing-fee receipts can be used, to include restoration and enhancement of fish and wildlife habitat, restoration and improved management of riparian areas, and better grazing management, including increased range monitoring, enforcement of allotment requirements, and implementation of land-management plans.

As I said during the debate on the appropriations bill, all of these are problem subjects today with a demonstrated need for increased agency resources. Investments in these things can and should be made, for the benefit of all parties. For example, it has been demonstrated that better management of riparian areas can increase the grazeable forage as well as bettering fish and wildfish and environmental values.

Mr. Chairman, when the House debated Mr. Synar's amendment to the appropriations bill, some of us pointed out that it would be more appropriate for this grazing-fee issue to be addressed in authorizing legislation. Now we have the chance to do just that. The Regula amendment is a good one. Its changes in the grazing fees and rangeland management are sound, balanced, and long overdue. I urge approval for this amendment, to make this good bill even better.

Mr. MARLENEE. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, the chairman of the subcommittee again brings up the issue of subleasing. It is not an issue in this debate. It is illegal.

He brought up the subject that we no longer need to subsidize livestock operations in the West. Well, let me tell you, I want to go back over this scenario of grazing winter wheat, and perhaps those who are unfamiliar with agricultural programs can understand this, even the folks from Massachusetts.

In the fall, they seed winter wheat in Oklahoma, and then they graze the winter wheat in the fall, and then they graze the winter wheat in the winter, and then they graze the winter wheat in the spring, and then they harvest the winter wheat and collect the wheat deficiency payments, subsidizing grazing, extensive, extensive in the South and Southwest and particularly in Oklahoma.

Nobody is yelling about grazing winter wheat on this side of the aisle. I just wish to point it out that this is, in fact, a subsidy, and there exists a precedent, a precedent for cutting that subsidy; when you graze your conservation reserve program, your CRP, your contract is cut a percentage. When you graze your acreage-reduction program, your deficiency payments are cut. When you graze winter wheat, should you receive a cut in deficiency payments?

I think the gentleman from Oklahoma and some of those who are capitulating to this argument are playing in some very dangerous minefields, and I think that we need to come back together and support our agricultural communities.

With regard now to whether the public is being subsidized, let us remember that there is a difference, there is a big difference between leasing a furnished apartment and leasing an unfurnished apartment. The furnished apartments are the private leases. The unfurnished apartments are those public lands.

Mr. VENTO. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. REGULA].

Mr. REGULA. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I think we have got to make sure we keep our facts straight here, and that is, first, I asked the BLM to do a study as to what the impact of this would be on reducing AUM's, and they point out very clearly, and BLM manages this, so they should know, that under the formula put forth in my amendment, there would be no reduction whatsoever over the 4-year period in AUM's, and there would be a substantial increase in revenues, but the important point is no reduction.

Now, under the Synar numbers, there would be a reduction at least as pointed out in the BLM study.

I would also point out that in a study done by the Department of the Interior and the Agriculture Department that in the non-BLM Federal lands, that is, military, refuges, reclamation lands, that the average, when these were done on a bid basis, was $6.53 for grazing permits. So this tells you also that these lands have substantially more value than has been the case on the BLM management in recent times.

Also, they point out in this same study, and this is Interior and Agri-

culture, that the average contribution of the lessee for AUM is 30 cents, not some great number for fencing, water, et cetera, but 30 cents, and that is in the 16 Western States.

Even if you factor in this contribution, it is still a cost under the present formula that is substantially less than is received where it is done on bid basis by non-BLM Federal agencies.

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. REGULA. I am happy to yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I appreciate the gentleman yielding.

Mr. Chairman, the gentleman has done a very scholarly job and hard-working job. I would just like to point out that recently it has come to my attention that the State of Montana just set its AUM fee for next year at $4.24 for AUM on State lands, and in the same State we are getting $1.97.

Mr. MARLENEE. Mr. Chairman, I yield 2 minutes to my esteemed colleague, the gentleman from New Mexico [Mr. SKEEN].

Mr. SKEEN. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, it is always interesting to hear what States charge when States are such a small portion of the entire program. There are only four sections of a township in New Mexico that are so-called State sections that are ceded by the State, so that is not a factor.

We are talking about fair market versus fake market. I want to see, after having been in this business for some 40-odd years, I want to talk to the person who has been paying $8 in AUM, $9, or $10, or whatever over there, because I want to tell you one thing, they lost money, because the cattle market, as I know it, would not support $8, $9, or $10, but I will tell you what we have got.

Mr. MARLENEE. Mr. Chairman, will the gentleman yield?

Mr. SKEEN. I am happy to yield to the gentleman from Montana.

Mr. MARLENEE. If you want to talk to them, they are pumping gas at the 7-Eleven.

Mr. SKEEN. They may be pumping gas, but, on the other hand, they are hobbyists or some other specialized reason, because you cannot make money and pay that much, and I know it for a fact.

But I will tell you what they do do—they do-do-do—they go in there and spend their money on grazing leases and so forth and lose money on the proposition and then write it off. So who is subsidizing who? That is what I would like to know, because that is a very neat writeoff, especially if you are not depending on cattle-raising or grazing to sustain yourself.

I will tell you, folks, you are not going to make it on $8 or $9 or $10 an animal unit. That is why you are going to lose the 38,000 folks who are dependent on that as their sole source of income and their sole occupation, because the market will not take much more than that. That is the fact.

Mr. VENTO. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia [Mr. DARDEN].

Mr. DARDEN. Mr. Chairman, I want to say again that it is unfair for 2 percent of the cattle producers in this country to receive this subsidy while 98 percent of the rest of the cattle producers in the country do not receive it.

Our cattle farmers in Georgia have to pay the market rate for their feed. Those in South Carolina have to pay the market rate. Those in Massachusetts and New York and everywhere else have to pay the market rate. Why should we single out and subsidize 2 percent of the cattle producers in this country with this subsidy worth more than $150 million a year?

Mr. Chairman, today's Wall Street Journal quotes the very high prices in cattle, and they call it, incidentally, a bull market, and quoting from that article, "Lucrative Livestock," it says, "high beef prices have made ranching extremely profitable." It further says, "So all across the Great Plains, ranchers are rounding up profits and plowing them into new pickups, tractors, or more frequent trips to Las Vegas."

All of that is fine, Mr. Chairman. However, the taxpayers should not subsidize a new pickup. They should not subsidize the new tractor or the new more frequent trips to Las Vegas. Private industry ought to do it.

So this is one subsidy that must be eliminated. Support the Regula amendment and the Synar-Darden-Atkins amendment, and let us bring fairness back to the cattle industry.

□ 1600

Mr. MARLENEE. Mr. Chairman, I yield 1 minute to my colleague, the gentleman from Utah [Mr. OWENS].

Mr. VENTO. Mr. Chairman, I yield 1 minute to the gentleman from Utah [Mr. OWENS].

Mr. OWENS of Utah. Mr. Chairman, one man's subsidy is another man's public interest program, as we have heard.

The gentleman from Montana, my neighbor, has spelled this out lucidly this afternoon. Sure, there is a soft subsidy here, but if we are concerned with corporate and wealthy ranchers abusing the system, why not craft a measured response which protects the small family rancher and eliminates the alleged subsidy only for wealthier corporate ranchers, as we have done with water subsidy in other debate over reclamation reform.

The Synar-Darden-Atkins amendment, and the Regula amendment, to a lesser degree, although well-intentioned, are the wrong approach to a very complicated issue. I urge their defeat.

This is a draconian increase in grazing fees on public lands. We fight this issue on a regular basis. Mr. Chairman, I have been part owner of a little ranch in southern Utah, and because we had grazing privileges in the past, initially at least, I declined to take part in this vote because I felt it was a conflict of interest. It is not a conflict of interest in the sense I am selling this land and this permit, and therefore, I have chosen to enter into this debate, because it is so distorted.

The arguments made are so unfair to the few ranchers in this country who, in essence, pay this animal unit month fee, and which would have very painful, very unfair increases imposed by these amendments.

I find it very uncomfortable, and it is extraordinary in that sense for me to be on the side of the gentleman from Montana, arguing against the chairman of the subcommittee for whom I have great respect. I have great respect for both of them. However, in this case the gentleman from Montana is right and the chairman of the subcommittee is wrong.

Mr. MARLENEE. Mr. Chairman, I yield 1 minute to my colleague from Montana [Mr. WILLIAMS].

Mr. VENTO. Mr. Chairman, I yield 1 minute to the gentleman from Montana [Mr. WILLIAMS], a member of the subcommittee.

Mr. WILLIAMS. Mr. Chairman, I thank both of my friends for their generosity in yielding time to me.

We can always tell when Congress is about to make a mistake. Fingers jab in the air, and fists bang the podium. That makes the herd stampede. The congressional herd is stampeding now and it is headed up the wrong draw.

With the amendment, either Synar, or Synar as amended by Regula, the Congress could be making one of those very big mistakes we make when we start to stampede. Let me give Members an example.

There are 20 million cattle out on ranges out our way in 13 States. We are told the average cost of production per head is about $525 now. If we multiply that out, and if we believe the Society for Range Management that says if this amendment goes forward, we might lose 9 million cattle off the land, we find out that we have a loss in production costs of $4,500 million. That is just in production costs. Out our way, we are having a tough economic time and have been for more than a decade. Add that to it, drop the tax base, increase costs to BLM, watch these local economies in these towns and cities, we begin to decline even further, and this Congress will rue the day, as will those Members in those 13 western States, that this herd ever started to stampede.

Be careful. Do not be pushed into this. Do not start to run too fast in

this direction. Be careful. We have tough economic times out our way. What may sound as a good vote to Members here this afternoon, could keep the 13 Western States that run these cattle, may find very, very difficult and worse economic times ahead as a result.

Mr. MARLENEE. Mr. Chairman, I yield 4 minutes to the gentleman from Oregon [Mr. SMITH], a renowned expert on grazing and BLM authorization.

Mr. SMITH of Oregon. Mr. Chairman, either Synar of Regula passing is the end of the livestock grazing in the West. The people in the West are on death row. Either with Synar they have a year to live before they are hung, or with Regula they have 6 years before they are hung. Either way, they are done.

Now, I want to address this issue directly with respect to the subsidy. It has been charged over here that there is a subsidy involved in this, and I will prove to Members there is no subsidy whatsoever.

For instance, the Bureau of Land Management testifies that it costs $1.66 per AUM to manage cattle in the public ranges. The cattlemen are now paying $1.97. Where is the subsidy? That is $5 million returning to the Treasury of the United States that people are paying in the West, grazing cattle, to the Treasury.

Second, the comparison between public and private range. We have heard estimates of $9.60 from the gentleman from Massachusetts, or $6.70 from others. The real cost average to the country is $10.41 for the operation under private ranges. It actually costs to run on public ranges more. In fact, it costs $14.29 if we add all the costs. Where is the subsidy?

Finally, if we go to the gentleman from Ohio [Mr. REGULA] in this situation, we are going to now pay $17.57 for the privilege of running on public ranges, when it costs $10.41 to run on private ranges. Where is the subsidy? I do not think there is any subsidy. There never has been. Never was.

If these rangelands are depreciated in value, why is it we have an increase in wildlife? A 112-percent increase in antelope; 435-percent in bighorn sheep; deer are up 30 percent; elk are up 782; moose are up 476 percent. These people are trying to convince Members that the lands that we manage, and ranchers are contributing to it, all but the public range managers, these lands are depreciating.

How is it possible while we are grazing landstock, we can have these increases? It is impossible.

Let me argue and answer every one of the points of the gentleman from Oklahoma. He says 10 percent of the people own 50 percent of the permits. The facts are 27,000 people utilize public lands for grazing, and they are people that earn less than $28,000. Are these the magnates that we have heard about? The oil men and insurance companies? Of course not. This is rural America that built this country, and we will take them out of business.

I suggest if Members vote for Synar, if Members vote for Regula, they will take them out in 1 year or 6 years. Very frankly, why, if there is so much money available as these people maintain, $150 million, $60 million, why is the Office of Management and Budget not supporting this program? Why? Because they see a diminishing return. The Office of Management and Budget says, "We will strongly recommend a veto because there will be no money coming from grazing fees in the future if you pass either one of these proposals." As does, by the way, the President of the United States, who says, "I want to maintain the existing formula." The Secretary of Agriculture says, "I will strongly recommend a veto if the President's formula is changed." The Secretary of Interior says, "I will strongly recommend a veto if the grazing fee is changed."

Therefore, my friends, it is obvious the people that we serve are going to be out of business, and the people that know what is happening in America are urging a veto and no change in the grazing fee formula. Vote against both Regula and Synar.

Mr. VENTO. Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. LEHMAN], a member of the committee.

□ 1610

Mr. LEHMAN of California. Mr. Chairman, I thank my good friend for yielding this time to me.

I hope the House paid close attention to the gentleman from Montana [Mr. WILLIAMS] when he spoke here a couple moments ago, because I think he spoke the truth. You can concoct your notions of justice, equity, and fairness, and believe you are doing that no matter how you vote here; but the fact is you will be making a mistake if you support either the Synar amendment or the Regula amendment.

First, this notion that there ought to be parity between public property and private property is a myth. The Federal Government has no mortgage on its land, the private landowner does. The Federal Government is not paying property taxes, the private landholder is. The Federal Government is not supporting the schools, the police, and everything else at the local level; the private landholder is. Of course there is going to be a disparity.

The fact is the Federal Government has a monopoly on most of this land and the cattlemen have to graze it.

There is not going to be any better management if this passes. The best management you have now is when the people who use the land have a stake in the grass continuing to grow and the water not eroding the soil and that property maintaining its vigor and vitality. We are not going to see better management because the Federal Government is all of a sudden going to put more money in here. It is not going to happen.

Reject this amendment.

Mr. MARLENEE. Mr. Speaker, in the last 30 seconds, I am going to close the debate on this side.

I hope my colleague will oppose both the Regula and the Synar amendments.

It is very simple. With public lands, you are leasing an unfurnished apartment. With private land, you are leasing a furnished apartment. It is that simple. That is all the analysis and analogy that I need to make.

Further, I would like to close by saying that if the chairman searched or if I searched this Chamber on those who spoke in favor of Synar and Regula and asked if they had any BLM land in their districts or close to their districts, the answer would be no. These people have no BLM land. They are coming in somewhat around the committee and saying, "Hey we want to increase in grazing fees."

Mr. VENTO. Mr. Chairman, I yield the balance of our time, 2½ minutes, to the gentleman from Oklahoma [Mr. SYNAR], the major sponsor of this proposal.

Mr. SYNAR. Mr. Chairman, first of all, I thank the committee chairman for his excellent support, as well as the chairman of the full committee and I want to commend the gentleman from Ohio [Mr. REGULA] for his excellent work in improving on what has been a mission between the gentleman from Georgia [Mr. DARDEN], the gentleman from Massachusetts [Mr. ATKINS], and I to get the farm market value for natural resources, not only for this generation, but for future generations.

Mr. Chairman, we are down to probably what will be the final debate on grazing I hope, because I hope as we proceed through conference we can finally resolve this issue and move us to other very vital issues which do face the country; but as we begin the last of the debate, let us review really what the objections to the Regula amendment to the Synar amendment have posed to us.

One of our colleagues rose today and said what we need to do is start charging everyone for the use of our public lands, whether it be for recreation, for minerals, of for grazing. I could not agree more. In fact, as chairman of the Oversight Committee on the Environment, Energy and Natural Resources, that is exactly what we are doing. We are not picking on grazing. What we are trying to do is make sure we have fair market value for all our resources throughout this country.

One of our colleagues rose today, in fact a number rose today and said that there is a real difference between pri-

vate land and public land and to try to compare them is like apples and oranges. Well, I have been concerned about that argument for a number of years. In fact, that is what we specifically asked the GAO to do, and the report which we issued less than 30 days ago reviewed it, reviewed it again, and reviewed it one more time, and came to the conclusion that under even the best scenario, the grazing fee on public lands should be raised.

One of our colleagues came foward and said that since the time of the grazing permits being allowed on our lands, wildlife has increased. In fact, they said that it has been better for hunters and our wildlife.

Well, the facts are, Mr. Chairman, according to Frederick H. Wagner, professor of wildlife management at Utah State University, bighorn sheep have declined 454 animals; deer have declined 2 million animals; elk have declined 300,000 animals. In fact, over the last 100 years, every study that has ever been commissioned on public lands shows that we have one-tenth the biological productivity that we had before.

Finally, the most persuasive argument that has been tried to be made today that if we pass this grazing fee increase, whether it is the Regula amendment or the Synar-Darden-Atkins amendment, we will devastate, I think the word was, we will displace, I think the word was used, there will be extinction of the cattle industry. They are on death row and it will be the end of western life as we know it.

Well, as the gentleman from Ohio [Mr. REGULA] pointed out, that is not what the people who we pay in the Reagan and Bush administrations say. They say we will not lose one AUM in the BLM. We will not lose one AUM with the Forest Service. In fact, these people, these opponents, bring no evidence, not one shred of evidence to us today to make that case.

Mr. Chairman, the debate is over. Let us do right for not only the land and our resources, let us do right by our children. Let us support the Regula amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. REGULA] as a substitute for the amendment offered by the gentleman from Oklahoma [Mr. SYNAR].

The question was taken; and on a division (demanded by Mr. MARLENEE) there were—ayes 9, noes 12.

RECORDED VOTE

Mr. VENTO. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN. The Chair announces that pursuant to clause 2(c) of rule XXIII, the Chair will reduce to not less than 5 minutes the time for any vote that may be ordered on the Synar amendment, without intervening business.

The vote was taken by electronic device, and there were—ayes 254, noes 165, not voting 14, as follows:

[Roll No. 218]

AYES—254

Abercrombie	Hamilton	Pelosi
Anderson	Hayes (IL)	Penny
Andrews (ME)	Hayes (LA)	Petri
Andrews (TX)	Hefner	Pickett
Annunzio	Henry	Porter
Applegate	Hertel	Poshard
Archer	Hoagland	Price
Aspin	Hobson	Rahall
Atkins	Hochbrueckner	Ramstad
Bacchus	Horn	Rangel
Barnard	Hoyer	Ravenel
Bellenson	Huckaby	Reed
Bennett	Hughes	Regula
Bereuter	Hyde	Ridge
Berman	Ireland	Rinaldo
Boehlert	James	Ritter
Bonior	Jefferson	Roe
Borski	Jenkins	Roemer
Boucher	Johnson (CT)	Rohrabacher
Boxer	Johnston	Ros-Lehtinen
Brooks	Jones (GA)	Rostenkowski
Broomfield	Jontz	Roukema
Brown	Kanjorski	Rowland
Bruce	Kaptur	Roybal
Bryant	Kasich	Russo
Byron	Kennedy	Sabo
Cardin	Kennelly	Sanders
Carper	Kildee	Sangmeister
Clay	Kleczka	Santorum
Clinger	Klug	Savage
Collins (IL)	Kostmayer	Sawyer
Collins (MI)	LaFalce	Saxton
Conyers	Lancaster	Scheuer
Cooper	Lantos	Schroeder
Costello	Lehman (FL)	Schumer
Coughlin	Levin (MI)	Sensenbrenner
Cox (CA)	Levine (CA)	Serrano
Cox (IL)	Lewis (FL)	Sharp
Coyne	Lewis (GA)	Shays
Dannemeyer	Lipinski	Shuster
Darden	Lloyd	Sikorski
DeLauro	Lowey (NY)	Sisisky
Dellums	Luken	Skelton
Derrick	Manton	Slattery
Dicks	Markey	Slaughter (NY)
Dingell	Martinez	Smith (FL)
Dixon	Mavroules	Smith (IA)
Donnelly	Mazzoli	Smith (NJ)
Downey	McCloskey	Smith (TX)
Duncan	McCrery	Snowe
Durbin	McCurdy	Solarz
Dwyer	McDade	Spratt
Dymally	McDermott	Stark
Early	McEwen	Stearns
Eckart	McGrath	Stokes
Edwards (CA)	McHugh	Studds
Engel	McMillan (NC)	Sundquist
Erdreich	McMillen (MD)	Swett
Evans	McNulty	Synar
Fascell	Meyers	Tallon
Fawell	Miller (CA)	Tauzin
Fazio	Miller (OH)	Torres
Feighan	Mineta	Torricelli
Fish	Mink	Towns
Flake	Moakley	Traficant
Foglietta	Moody	Traxler
Ford (MI)	Moran	Unsoeld
Frank (MA)	Morella	Upton
Franks (CT)	Mrazek	Valentine
Gallo	Murphy	Vander Jagt
Gaydos	Nagle	Vento
Gejdenson	Neal (MA)	Visclosky
Gephardt	Neal (NC)	Volkmer
Gibbons	Nowak	Walker
Gillmor	Oakar	Waters
Gilman	Oberstar	Waxman
Glickman	Obey	Weldon
Goodling	Olver	Wheat
Gordon	Owens (NY)	Wilson
Goss	Oxley	Wise
Gradison	Pallone	Wolpe
Gray	Patterson	Wyden
Green	Payne (NJ)	Yates
Guarini	Payne (VA)	Zimmer
Hall (OH)	Pease	

NOES—165

Alexander	Gekas	Nichols
Allard	Geren	Nussle
Anthony	Gilchrest	Olin
Armey	Gingrich	Ortiz
AuCoin	Gonzalez	Orton
Baker	Grandy	Owens (UT)
Ballenger	Gunderson	Packard
Barrett	Hall (TX)	Panetta
Barton	Hammerschmidt	Parker
Bateman	Hancock	Paxon
Bentley	Hansen	Perkins
Bevill	Harris	Peterson (FL)
Bilbray	Hastert	Peterson (MN)
Bilirakis	Hatcher	Pickle
Billey	Hefley	Pursell
Boehner	Herger	Quillen
Brewster	Holloway	Ray
Browder	Horton	Rhodes
Bunning	Houghton	Richardson
Burton	Hubbard	Riggs
Bustamante	Hunter	Roberts
Camp	Hutto	Rogers
Campbell (CA)	Inhofe	Rose
Campbell (CO)	Jacobs	Roth
Carr	Johnson (SD)	Sarpalius
Chandler	Johnson (TX)	Schaefer
Chapman	Jones (NC)	Schiff
Clement	Kolbe	Schulze
Coble	Kopetski	Shaw
Coleman (MO)	Kyl	Skaggs
Coleman (TX)	Lagomarsino	Skeen
Combest	LaRocco	Slaughter (VA)
Condit	Laughlin	Smith (OR)
Cramer	Leach	Solomon
Crane	Lehman (CA)	Spence
Cunningham	Lent	Staggers
Davis	Lewis (CA)	Stallings
de la Garza	Lightfoot	Stenholm
DeFazio	Livingston	Stump
DeLay	Long	Tanner
Dickinson	Machtley	Taylor (MS)
Dooley	Marlenee	Taylor (NC)
Doolittle	Martin	Thomas (GA)
Dorgan (ND)	McCandless	Thomas (WY)
Dornan (CA)	McCollum	Thornton
Dreier	Mfume	Vucanovich
Edwards (OK)	Michel	Walsh
Edwards (TX)	Molinari	Weber
Emerson	Mollohan	Whitten
English	Montgomery	Williams
Espy	Moorhead	Wolf
Ewing	Morrison	Wylie
Fields	Murtha	Young (AK)
Frost	Myers	Young (FL)
Gallegly	Natcher	Zeliff

NOT VOTING—14

Ackerman	Kolter	Thomas (CA)
Andrews (NJ)	Lowery (CA)	Washington
Callahan	Matsui	Weiss
Ford (TN)	Miller (WA)	Yatron
Hopkins	Swift	

□ 1639

The Clerk announced the following pairs:

On this vote:

Mr. Ackerman for, with Mr. Thomas of California against.

Messrs. BROOKS, UPTON, KANJORSKI, DYMALLY, LEVIN of Michigan, and TRAFICANT, Mrs. KENNELLY, and Mr. RINALDO changed their vote from "no" to "aye."

So the amendment offered as a substitute for the amendment was agreed to.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oklahoma [Mr. SYNAR], as amended.

The amendment, as amended, was agreed to.

AMENDMENT OFFERED BY MR. RHODES

Mr. RHODES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RHODES: Strike Section 14 of the bill as reported and in lieu thereof insert the following:

"SEC. 14. JUDICIAL REVIEW.

(a) Title VII of the Act is amended by adding at the end thereof the following:

"JUDICIAL REVIEW

"SEC. 708. Any agency action or failure to act to implement this Act, including the whole or part of any agency rule, order, license, sanction, relief, or the equivalent to denial thereof, shall be subject to judicial review in accordance with and to the extent provided by the Administrative Procedure Act (5 U.S.C. 551-559 and 701 et seq). For the purposes of this section, the term 'rule' has the same meaning as such term has in the Administrative Procedure Act (5 U.S.C. 551 (4))."

(b) The Table of Contents of the Act is amended by inserting after the item relating to section 707 the following new item:

"'Sec. 708. Judicial Review.'"

Mr. RHODES (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. RHODES. Mr. Chairman, I want to thank the gentleman from Minnesota [Mr. VENTO] and his staff for working with us in perfecting this amendment. It is my understanding that he intends to accept the amendment.

This is a refinement and clarification of the judicial review provisions in the bill.

The amendment preserves the intent of the bill to see to it that all agency actions are reviewable under FLPMA and nothing has changed in that regard. It clarifies that all provisions of the Administrative Procedure Act will apply to agency actions under FLPMA. Reaffirmation of the role of the Administrative Procedure Act is particularly appropriate in this context. It is backed up by over 40 years of judicial interpretation and provides a balanced and stable set of rules for all parties.

By specifically referencing the APA, this amendment preserves the requirement that litigants must show specific injury. This requirement ultimately has its roots in the cases and controversies language of article III of the Constitution.

The courts will be able to review an unlawful failure to act as well as an unlawful act when acting on the same basis as provided in the Administrative Procedure Act.

Neither the amendment nor the original bill language overturns the Supreme Court guidance in this area. The amendment does address the concern that the courts remain available to injured parties.

Mr. Chairman, this amendment meets the concerns addressed in section 14 and further ensures that none of the protections of the Administrative Procedure Act will be inadvertently lost or misinterpreted.

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. RHODES. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, the Rhodes amendment is acceptable to me. I commend the gentleman from Arizona for his willingness to work with me on this and for the contribution he is making on this matter.

This amendment would revise section 14 of the bill as reported.

As the Interior Committee's report points out, section 14 was included in response to recent court decisions that have cast doubt on the availability of Judicial review of some agency policies or actions.

For example, as cited in the committee report, the Supreme Court recently stated that unless Congress explicitly provides otherwise, the courts would review only specific agency actions having "an actual or immediately threatened effect."

The purpose of section 14, as reported, is to be just such an explicit provision, and thus to make it clear that full judicial review will apply to all agency actions to implement FLPMA, including actions, such as rulemaking or the adoption of policies, that might not have an actual or immediately threatened effect.

The scope and intent of section 14 of the bill are discussed at length in the Interior Committee's report. The Rhodes amendment, I believe, would cover the same things covered by section 14 as reported, and would achieve the same purposes as that section.

In particular, I note that the amendment specifically refers to judicial review of "The whole or part of any agency rule * * * or the equivalent or denial thereof" and also specifically references the definition of "rule" in the Administrative Procedure Act.

Thus, this amendment would explicitly provide for judicial review of the "equivalent" of the issuance of a rule, which, under the referenced definition of a rule, includes the equivalent of "an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy."

This amendment, like section 14 of the bill as reported, would make it clear that Congress intends that Judicial review be available to test agency policies, whether or not they are adopted through formal rulemaking, that will have a future effect even if that effect is not actual or immediately threatened.

In short, the Rhodes amendment does all that section 14 of the bill as reported was intended to do, and therefore it is acceptable to me.

Mr. RHODES. Mr. Chairman, I urge my colleagues to support the amendment.

Mr. MARLENEE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this is a good amendment, and I urge my colleagues on my side to support the amendment and ask that we do support it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona [Mr. RHODES].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. OWENS OF UTAH

Mr. OWENS of Utah. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. OWENS of Utah: Page 31, after line 16, add the following new section:

SEC. 19. BONNEVILLE SALT FLATS.

Not later than 2 years after the date of the enactment of this Act, the Secretary of the Interior shall conduct a study to determine the nature and extent of the salt loss from the salt flat crust occurring at Bonneville Salt Flats, Utah, and how best to preserve the resources (including scenic, historic, economic, and recreational resources) threatened by such salt loss. In conducting the study, the Secretary shall consider whether to designate the Bonneville Salt Flats as a national recreation area or a national conservation area. Within 90 days after the completion of the study, the Secretary shall submit a report to the Congress concerning such study, together with recommendations, if any, of the Secretary.

Mr. OWENS of Utah (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. OWENS of Utah. Mr. Chairman, the Bonneville Salt Flats in Utah, administered by the BLM, are well known not only for land speed records across the flats, but for the unique and fragile nature of the landscape. But the salt flats are disappearing at a rapid rate. In 20 years, if the process continues unchecked, the crust will be too thin in most places to even support a vehicle, much less be suitable for high-speed tests. The salt flats are disappearing—and we're not even sure why. It may have to do with salt mining depleting the salt content of the flats, or recent highway construction that may have affected drainage, or even long-term changes in the water table.

We need to find out why the salt flats are disappearing before it is too late for their recovery. This amendment was originally presented as a freestanding bill earlier this Congress by my colleague from Utah, Mr. HANSEN. Although he is obviously not comfortable with this particular legislative vehicle to which I attach this amendment, we have agreed that I would offer it today and he will support the amendment because its passage demonstrates the Congress' commitment to preserve this

national treasure from further deterioration. This noncontroversial, bipartisan amendment requires a study within 2 years to determine the nature and extent of salt loss from the salt crust and recommendations on how best to preserve the resource from further deterioration.

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. OWENS of Utah. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I have reviewed the amendment. I think it is a good amendment, and I urge the House to act on this. The gentleman, of course, comes from the great State of Utah. I know there is great concern about the status of the salt flats. This gives some emphasis to review and to come back with some recommendations on what we might do to in fact preserve this resource.

Mr. OWENS of Utah. Mr. Chairman, I thank the gentleman from Minnesota [Mr. VENTO] for his comments.

Mr. Chairman, I yield to my colleague, the gentleman from Utah [Mr. HANSEN], who is the original author of this very progressive amendment. I am offering it tonight in his and my own behalf.

Mr. HANSEN. Mr. Chairman, I thank the gentleman for yielding.

I hope the members of the committee will realize that we are talking about a national treasure. I will bet everyone here has watched some car go down there at 400 miles an hour over this speed area. All over the world people have heard of Great Salt Lake Flats and where they race cars. They have got to realize that that has shrunk now to about a fourth of what it was.

At one time there was a salt bed 26 feet deep. Now it is down to inches. How would my colleagues like to drive a car at 400 miles an hour, thinking they are going to go through. This is a treasure that people want.

It is something we should see and we do not know why it is disappearing. All we are asking today is to appropriate an amount of money so that we can determine where it is going, so that this national treasure of the United States can be preserved for future folks. I would urge a yes on this vote.

□ 1650

Mr. MARLENEE. Mr. Chairman, will the gentleman yield?

Mr. OWENS of Utah. I yield to my friend, the gentleman from Montana.

Mr. MARLENEE. Mr. Chairman, we have no objection to the amendment on this side, and urge its passage.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Utah [Mr. OWENS].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. JONTZ

Mr. JONTZ. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONTZ: Page 31, after line 16 (at the end of the bill), add the following new section:

SEC. 19. RANGELAND DROUGHT RECOVERY STUDY.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary of the Interior shall appoint a team of scientists to conduct a Rangeland Drought Recovery Study. The team shall be appointed from nominations made by the Director of the National Science Foundation and shall include persons expert in the disciplines of arid lands research, meteorology, botany and wildlife biology, fisheries, range ecology, and remote sensing technology and interpretation. The Director of the Bureau of Land Management and Chief of the Forest Service shall cooperate with the study team.

(b) STUDY AND REPORT.—(1) The study team shall compile data and prepare maps concerning the extent and severity of drought conditions on public rangelands and other lands in the 16 contiguous Western States and not later than 2 years after the date of enactment of this Act shall submit a report to the Congress concerning their findings.

(2) In preparing its report, the study team shall utilize remote sensing and other techniques and shall draw upon historical and current data regarding seasonal and other changes to rangelands resulting from the interaction of drought conditions and management regimes. The study team shall prepare maps showing range conditions, utilizing data on forage production, rainfall, and the presence or absence of native species or communities of wildlife and plants.

(3) The study team's report shall identify poor or satisfactory range conditions and recommend additional steps that should be taken to protect range resources, including (but not limited to) adjustments in permitted levels of domestic livestock grazing in areas affected by drought conditions.

Mr. JONTZ (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. JONTZ. Mr. Chairman, this amendment would institute within the Bureau of Land Management a rangeland drought recovery study. As Members know, there is a very significant drought occurring in the Western States, which will have an impact on the range and other resources in public ownership.

Mr. Chairman, I believe the questions will come before the Congress and also before the agency as a consequence of this drought. The purpose of this amendment is to undertake collection of information through satellite imagery and other means.

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. JONTZ. I am happy to yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, this amendment would be a free-standing provision, and not an amendment to existing law. It would require the National Science Foundation to assemble an expert team to compile existing information concerning the drought conditions in the Western States and to report concerning the effects of the drought in those States on the public rangelands and other lands.

I understand that information about the effects of the drought on the resources of the rangelands is available, or can be developed fairly quickly through existing methods. But it clearly would be useful for this information to be pulled together in a way that will provide a comprehensive view of the situation. This should be useful to the land managers and to the users of the rangelands as well.

Therefore, I can support this amendment.

Mr. MARLENEE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we do not have on this side of the aisle a great deal of opposition to this amendment. However, we do have concerns. I do wish to voice some concern about the amendment.

Mr. Chairman, we do not know the cost of this study. It may be taking resources that we can spend on conservation or other things on public lands that need improvement.

The one thing that I do have concern about is on page 2, "The study team shall report, and then recommend steps to be taken because of drought."

Mr. Chairman, that should be a natural activity of the management and the range management specialists, and is, as a matter of fact, with the range management specialists with BLM.

Mr. Chairman, I do not oppose the amendment, but I do have concern about some provisions.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. JONTZ].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. JOHNSTON OF FLORIDA

Mr. JOHNSTON of Florida. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHNSTON of Florida: Page 31, after line 16 (at the end of the bill), add the following new section:

SEC. 19. REPORT ON IMPACT OF CERTAIN LEASING PROPOSALS PRIOR TO THEIR IMPLEMENTATION.

The Secretary of the Interior shall not take any action to allow or approve any exploration for or development of any oil, gas, or other leasable mineral resource on any lands in Broward County, Florida, before the date which is 120 days after the date on which the Secretary submits to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report concerning proposals for such exploration and development and the potential impacts of such exploration and development on water and other natural and environmental resources and values.

Mr. JOHNSTON of Florida (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. JOHNSTON of Florida. Mr. Chairman, today, I am offering an amendment to the BLM reauthorization that addresses a key concern of millions of Floridians. Oil exploration may commence on the boundaries of the Everglades water conservation area, which recharges the water supply for 4 million people in south Florida. I am asking Congress to review the potential impact of this exploration on our natural and environmental resources, and particularly the unique ecosystem of the Everglades.

Shell Western E&P, Inc., a subsidiary of Shell Oil Co., has a contract to drill on Federal lands in Broward County managed by the Bureau of Land Management. If the exploration is successful, Shell Western will commence drilling for the development of oil at that site.

Currently, the drilling permit is before the Bureau of Land Management for approval. Officials of the Bureau of Land Management have expressed to me that this drilling permit request is unique because of its drilling under a water conservation area and its proximity to the Everglades. I trust that the Bureau will execute its responsibilities in accordance to Federal guidelines that govern them. It is the uniqueness of this drilling site that concerns me.

My amendment requires that the Secretary of the Department of the Interior submit a report to Congress on the potential impact of this oil exploration and development on water and other natural and environmental resources in the Everglades. The Congress would have 120 days to review the proposal.

My amendment does not prohibit oil exploration or its development nor does it restrict it. I am simply asking that before this drilling permit is approved, the committee that has oversight over this matter has the opportunity to review the proposal and its potential environmental impact. The water supply for 4 million people in south Florida deserves no less. The integrity of the Everglades deserves no less.

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. JOHNSTON of Florida. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, I have examined the amendment. I have a question for the gentleman from Florida. I tend to support what the gentleman is doing.

Mr. Chairman, I understand this would simply provide notification to Congress prior to the Secretary taking any action to approve any exploration for development of oil or gas and lease of mineral lands in Broward County, FL. It would just require notification?

Mr. JOHNSTON of Florida. Mr. Chairman, reclaiming my time, that is right. It only requires that they do a study and notify Congress. They cannot issue a permit for 120 days.

Mr. VENTO. Mr. Chairman, if the gentleman will yield further, I support the amendment of the gentleman from Florida [Mr. JOHNSTON]. I understand the sensitivity of individuals in that area. The BLM has significant responsibility in the State of Florida. In terms of exercising our responsibilities, we ought to be aware when such actions are taking place.

Mr. Chairman, I commend the gentleman from Florida [Mr. JOHNSTON], a member of the Committee on Interior and Insular Affairs, for his actions and interest in this, and support the amendment.

Mr. YOUNG of Alaska. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I would seek clarification from the gentleman from Florida [Mr. JOHNSTON]. The land which is being proposed to be exploratory drilled, is it on State land, Federal land, or reservation land?

Mr. JOHNSTON of Florida. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Alaska. I yield to the gentleman from Florida.

Mr. JOHNSTON of Florida. Mr. Chairman, it is on reservation land that is managed by the BLM. I can show the gentleman from Alaska [Mr. YOUNG] a proposal by Shell Oil Co.

Mr. YOUNG of Alaska. Mr. Chairman, reclaiming my time, with all due respect, the BLM does not manage reservation land. The native reservations are under the BIA.

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Alaska. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, it is my understanding that this land is native American land, but that the BLM does manage the mineral estate.

Mr. YOUNG of Alaska. Mr. Chairman, a point of information: The BIA, under the trust reservation of an Indian tribe, a very poor tribe, has a right to lease this land for mineral exploration for their benefit, do they not?

Mr. VENTO. Mr. Chairman, if the gentleman would yield further, yes. It is my understanding they do not lease directly. It is an indirect lease that occurs in this instance.

Mr. YOUNG of Alaska. Mr. Chairman, what I am looking for here, we have a small tribe, and, if I am not mistaken, from information I have gotten from their chief council, Billy Cyprus, the chairman, they are probably one of the poorer groups of individuals in Florida. Florida has a very wealthy population, as everyone knows.

Mr. Chairman, this tribe has bingo, one gas station, one small restaurant, and they sell crafts.

Mr. Chairman, what I am looking for here is that we hear a whole lot about wanting to help the poor and downtrodden and impoverished people. If we are going to take and prohibit this tribe, as small as it is, from leasing their land for their benefit, then we ought to be able to pay them.

Mr. Chairman, we should be able to get with Congress and say, "All right, Big Brother With Forked Tongue is speaking again. We are not going to let you lease that land."

Mr. Chairman, that would hurt the water supply, and I support that idea. But in case and fact, if we are going to not reimburse them, again we are taking land from the private sector against an act of the Constitution, against this Congress, are we not?

Mr. VENTO. Mr. Chairman, if the gentleman will yield further, this provides for notification of 120 days. We are not making any determination. The suggestion of the amendment of the gentleman from Florida [Mr. JOHNSTON] is that the Congress receive notification of 120 days before they are issued. We are not barring that. There could be subsequent action in Congress which would do so.

□ 1700

But because of the sensitivity of the issue, the water supply, as the gentleman indicated, and other problems surrounding it, he wants and we would like to have notification. That is the suggestion in this particular instance.

Mr. YOUNG of Alaska. Is there anything in the gentleman's amendment that prohibits, after 120 days, this sale from going forward?

Mr. JOHNSTON of Florida. No.

Mr. YOUNG of Florida. No.

Mr. YOUNG of Alaska. The gentleman would have been happy with just the 120 days?

Mr. JOHNSTON of Florida. That is correct. In fact, it was suggested that it be 260, and I rejected that and contracted it back to 120.

Mr. RHODES. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Alaska. I yield to the gentleman from Arizona.

Mr. RHODES. Mr. Chairman, I would have to say to the proponents of the amendment and my friend from Alaska, the thing that bothers me about this amendment is not so much its substance, but this fact: The law under which this reservation exists and the law under which the mineral rights under the reservation were reserved to the Indian tribe, the law which has given this small Indian tribe their rights under this reservation was a law passed by this Congress in the early 1980's, and that law was codification of a negotiated settlement entered into among the Indian tribe, the State of Florida, and the United States. Those negotiations were long and contentious and had many points to them, but it

was a negotiated settlement agreed to by all three of those parties.

Under that negotiated settlement the State of Florida relinquished its right to approve and review mineral leasing on this reservation and left that to the Department of the Interior, specifically the Bureau of Land Management. The process of approving this proposed lease has been followed by the tribe and by the Department of the Interior through the Bureau of Land Management. The law has been followed.

Bear in mind that that law codified a negotiated agreement, and it said nothing about sending such an approved mineral lease application back to Congress for review. That was not negotiated for in that settlement. The Indians were not asked to send such an agreement back to Congress for a review. The State of Florida did not agree to send something back to Congress for a review, and Congress itself at that time did not ask for that review procedure.

Now here we are at the very end of this lease application process, and suddenly Congress is stepping in and saying we are going to change that negotiated agreement unilaterally. I do not think that is the way for us to proceed. I do not think it is right for us to do that.

I do not disagree with the substance of the gentleman's amendment. The reservation is in the gentleman's district, and the gentleman should know, if he does not already know that the gentleman from Alaska and I have a strong rule about not interfering in the business of other Members' districts. But I just have to lodge an objection to what we are doing right now, which is unilaterally changing a previously negotiated agreement.

I thank the gentleman for yielding.

Mr. YOUNG of Alaska. I thank the gentleman.

Mr. VENTO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I just want to point out that this does not in any way change the terms of the lease or any type of agreements that are entered into. What the gentleman's amendment calls for is a report concerning proposals and the impact on water and other natural resources, and that is really what it calls for, that the BLM would do and provide that to the House and Senate at 120 days before the issuance of a lease. So it does not change the terms.

Mr. JOHNSTON of Florida. Mr. Chairman, will the gentleman yield?

Mr. VENTO. I am happy to yield to the gentleman from Florida.

Mr. JOHNSTON of Florida. Mr. Chairman, I would say to the gentleman from Arizona [Mr. RHODES], I am not objecting to the drilling. I am not submitting an objection. I am not breaking an Indian treaty whatsoever.

The BLM, though, has come forth and said this is unique. This is the first time that they have asked for a permit under a water conservation area that provides water to 4 million people in south Florida. All I am asking for is a report back to the gentleman, to me, and the balance of the Congress what effect this will have on this natural resource under the Biscayne aquifer in south Florida.

Mr. YOUNG of Alaska. Mr. Chairman, will the gentleman yield?

Mr. VENTO. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, I understand what the gentleman is doing. But my biggest concern, like the gentleman from Arizona mentioned, is what if they come back with a report saying if there is drilling there is potential for hurting the water for 4 million people, what do we do then with this tribe? I am saying fine, if you do not want them to drill the oil, then pay them for the water.

Mr. JOHNSTON of Florida. If the gentleman will yield, we will then.

Mr. YOUNG of Akaska. You will then?

Mr. JOHNSTON of Florida. We will then if in effect there is a taking without compensation.

Mr. VENTO. Mr. Chairman, I just think it is an acceptable amendment.

I yield back the balance of my time.

Mr. SMITH of Florida. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am the Congressman who represents this district, this piece of land, and the Miccosukee Indian Tribe and all of their lands, and frankly I am a little bit dismayed. The gentleman from Palm Beach County, my dear friend, with whom I served in the State legislature as well, notified me yesterday of this amendment. And this amendment is somewhat contentious because, although it is true that he absolutely is not changing the terms of any agreement, he is in fact delaying what might be ultimately the implementation of an agreement that was made with the approval of the BLM to begin with, and I find that difficult.

This is a contentious issue because environmentalists and those who are opposed to drilling on this land—and frankly I am not one of those who would prefer to see this. I would prefer to see no drilling either in the Everglades, on the Outer Continental Shelf, or anywhere else in Florida. But the Miccosukee are a sovereign Indian nation and they control these lands. There are those who want to ban this drilling altogether.

I am sympathetic with wanting to see what would happen with reference to any other ecological problems that might arise from this drilling, and I am distressed that the drilling may be diagonal drilling; that is, it may be drilling which is made on Miccosukee property but in fact winds up, the bores, being off the property into the rest of the Everglades. This is a problem.

By the same token, I am rather distressed that No. 1, I have not at all had a chance to discuss this with the Miccosukee, since I was only notified yesterday; and No. 2, and more importantly, I do not know what effect this will have.

Frankly, what I would prefer to do, if the gentleman from Florida would be willing to do this, is to withhold on this amendment because it does cause a delay, which is to some degree a variation of terms of an original agreement, and hopefully try to strike some kind of a balance with the tribe itself. They have already indicated that they would not proceed with drilling if there was any indication that there was going to be a problem ecologically. But I would prefer not to have anyone else brought into this picture.

This amendment, although it is only delaying for 120 days, provides that there is going to be a report which the Secretary has to submit to the Committee on Interior and Insular Affairs and the Committee on Energy and Natural Resources of the Senate. We are dealing with an issue that has a much broader reach than it once upon a time had, and I would suggest that we can do this without this amendment. I am sympathetic to the thrust of it. I do not really want to see drilling either.

□ 1710

By the same token, the Indians are entitled to discharge on their sovereign land an agreement that was made with the consent of the BLM and with the BLM looking over their shoulder at this time.

There have already been investigations ecologically into what may happen here from the State of Florida. So I am caught, frankly, between a rock and a hard place, and I would urge that this amendment be withdrawn and some kind of other accommodation be sought to guarantee no ecological damage rather than just this delay, because, frankly, it is an unexplained delay. It may come to naught and may be a delay for no reason whatsoever.

Mr. JOHNSTON of Florida. Mr. Chairman, I ask unanimous consent to withdraw my amendment, and I remind my colleague from Broward County that I am in the phone book, and all he has to do is call me.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN. Are there other amendments to be offered?

AMENDMENT OFFERED BY MR. JONTZ

Mr. JONTZ. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONTZ: Page 31, after line 16 (at the end of the bill) add the following new section:

SEC. 19. MANAGEMENT OF PUBLIC LANDS RELATING TO NATURAL PRODUCTIVE CAPACITY.

Section 302(a) of the Act (43 U.S.C. 1732(a)) is amended—

(1) by inserting "(1)" after "(a)"; and

(2) by adding at the end thereof the following:

"(2) The Secretary shall manage the public lands to maintain and restore their natural productive capacity and shall take no action to diminish the long-term sustainability of the biological resource as measured by the variety within and among the native species and communities of which it is comprised, except that where a tract of such public land has been dedicated to specific uses according to any other provision of law it shall be managed in accordance with such law.".

Mr. JONTZ (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. JONTZ. Mr. Chairman, I think all the Members of this House accept the idea that we ought to be managing our Nation's resources in such a way that we leave them in better shape than we found them.

In fact, when you turn to the laws that govern the Bureau of Land Management, we find the idea of sustained yield, which at least suggests that concept.

Today, however, our scientific understanding of resources conservation suggests that we need to add to the idea of sustained yield. We understand better today than we did 15 years ago when FLPMA was written that the long-term productivity of our resources depends on how well we can maintain the biological systems of which they are constituted.

Another way of putting it is that trees, grass, and wildlife do not exist as separate entities but, rather, as parts of biological communities or ecosystems, if you prefer.

We now understand that our ability to produce timber or graze cattle on public lands over the long run depends on how well we can sustain these biological systems on which these commodity components depend and of which they are a part. Regrettably, this idea, our current scientific understanting of resource conservation, is not found anywhere in the law regarding BLM.

The basic idea that we leave things in better shape than we found them in a biological sense just is not there when you read FLPMA. My amendment would correct this shortcoming by saying, very simply, in addition to managing lands on a multiple-use, sustained-yield basis, the BLM would also be responsible for maintaining and restoring the long-term productivity of the biological resources under their jurisdiction, and that no actions would be allowed which would impair that productivity as measured by the variety within and among native plant and animal species and communities.

Mr. Chairman, this is the best way that scientists know how to determine the health of a biological system. A viable, functioning system has all of its components, and the first rule of intelligent tinkering, of course, is not to throw away any of the parts.

This concept of biological diversity really gets back to the idea of the balance of nature that a certain equilibrium must be maintained for the productivity of natural systems to be realized.

This amendment, in one sentence, adds that direction to the existing direction in the law for multiple use and sustained yield.

Mr. VENTO. Mr. Chairman, will the gentleman yield?

Mr. JONTZ. I am happy to yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, this amendment would affect section 302(a) of FLPMA, which is BLM's general mandate to manage the public lands under principles of multiple use and sustained yield and in accordance with the land-use plans required by the act.

The amendment would add a requirement that BLM's management be aimed at maintenance and restoration of the natural biological productive capacity of the lands, and that BLM focus on the variety of native plants and animals as the measure of the biological resources of the lands.

The amendment would leave intact the existing language of section 302(a) of FLPMA, while adding this additional requirement. BLM would still be required to manage its lands for multiple uses, while at the same time giving special attention to maintenance and restoration of their ability to support native species.

While the amendment was not discussed in the committee's deliberations on the bill, I believe that it is consistent with the purposes and intent of the bill as reported, and therefore is acceptable.

Mr. JONTZ. I thank the chairman.

Madam Chairman, I do believe that the BLM does want to properly manage our Nation's public lands not just for use today but also for future generations. The agency does understand that we cannot harm the resource if we are going to meet our commitment to those who come after us.

My amendment does not change the existing direction in the law so far as the directive for management by the sustained-yield, multiple-use principle which I support, and I believe we all support it. It simply adds the idea that we must manage our lands to maintain and restore their long-term productivity.

Mr. YOUNG of Alaska. Madam Chairman, I rise in opposition to this amendment.

Madam Chairman, it is too bad this House is not in order. I know there is a ballgame on, and it is too bad nobody is listening to what this amendment does.

Madam Chairman, let me just read what the amendment does:

The Secretary shall manage the public lands to maintain and restore their natural productive capacity and shall take no action to diminish the long-term sustainability of the biological resource.

Home, home on the range, where the buffalo roam.

Can you see what is going to happen with this? This is so bad it is hard for me not to do what a buzzard does when they eat too much. This is a sick amendment.

I am shocked that my chairman over there would accept this amendment with no hearings at all, no concept, no requests from anybody, and, you know, think about it a moment, and I am supposed to be a little calm about this.

But would livestock grazing be prohibited because they have to maintain the natural biological level? Yes. Would there be any changing of the species over the years? Yes, if those species have changed, they would have to maintain it as it was naturally before.

The BLM land would have no use other than the way it is and was before.

Madam Chairman, as I mentioned, the term "natural biological productive capacity": What is the capacity? Can you see what is going to happen when someone is out trying to do anything on this land? Nothing.

You know, there is one good thing about it. This amendment is so gagging, it is so gagging that I might support it, because I will guarantee you, as I said before, this bill already has no wings, no feet, no beak. It is not going to fly. It is a disgusting piece of legislation, and this is so much worse, and I am saying, as we say on the farm, you pile it on, and you pile it on and pile it on, and this is the biggest pile I have seen today.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. JONTZ].

The amendment was agreed to.

Mr. SCHEUER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, after that last outlandish barrage from the gentleman from Alaska, I feel constrained to say that this amendment is a moderate amendment, a thoughtful amendment, and tells us to do what every one of us knows we ought to do, that we ought to protect our natural heritage.

We are not the owners of this land. We are trustees. We inherited it from our forebears, and we are trustees for a while, and then we hand it down to our kids and our grandchildren.

PARLIAMENTARY INQUIRY

Mr. YOUNG of Alaska. Mr. Chairman, I have a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. YOUNG of Alaska. Mr. Chairman, was the amendment adopted or not adopted?

The CHAIRMAN. The Chair announced that the amendment was agreed to.

The gentleman from New York may continue.

Mr. SCHEUER. Mr. Chairman, I did not hear.

The CHAIRMAN. The amendment was agreed to, but the gentleman may continue under the 5-minute rule.

□ 1720

Mr. SCHEUER. Mr. Chairman, I rise in support of the gentleman's management of public lands amendment. The honorable Member from Indiana has identified a crucial deficiency in the management of the Federal lands portfolio.

This amendment addresses a problem that the Science, Space, and Technology's Environment Subcommittee has been working on since 1985. The fact is that the Government should be managing public lands for many purposes, including the preservation of biological diversity.

The fact is, the long-term sustainability of biological resources is critical to our survival.

The conservation of ecosystems, with their naturally diverse components, is necessary to ensure continued ecological processes such as: climate modernization, production and conservation of soils, nutrient cycling, and degradation of wastes and pollutants.

Byproducts of these processes provide us with the raw materials for: the air we breathe, the food we eat, the clothing we wear, the shelters that house us, and most of the pharmaceuticals that heal us.

Certain critical habitats in this country are vanishing at an alarming rate.

Wetlands are being destroyed at a rate of 250,000 acres per year.

The U.S. Forest Service clear-cuts about 60,000 acres of old growth temperate forests annually in the Pacific northwest.

Hawaii, the national jewel of biological diversity, is also the capital of endangered tropical diversity. Hawaii represents less than 1 percent of U.S. land area, but 25 percent of the endangered species list.

I could stand here for hours and give you the rational arguments for why we must act now to preserve our biological resources. However, no argument is more powerful or moving than that given by Chief Seattle in a letter to President Franklin Pierce in 1854. I quote:

What is man without the beasts? * * * For whatever happens to the beasts soon happens to man * * * All things are connected * * * Man did not weave the web of life, he is merely a strand in it * * * Whatever he does to the web, he does to himself * * * For when the buffalo are all slaughtered, the wild horses are all tamed, the sacred corners of the forests heavy with the scent of man, and the view of the ripe hills blotted by talking wires * * * Where is the thicket? * * * Gone! * * * Where is the Eagle? * * * Gone! * * * The end of living and the beginning of survival!

Within the next few weeks it is my hope to bring before this House further legislation—currently before the Committees on Science, Space, and Technology and Merchant Marine and Fisheries—on biological diversity. In addition, Senator MOYNIHAN has introduced a similar measure in the Senate that will make the preservation of biological diversity a national goal and priority.

The Jontz amendment to H.R. 1096 addresses one important aspect of preserving biological diversity—improved focused management of Federal lands to maintain these priceless natural biological resources.

I urge my colleagues to support this amendment.

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TRAFICANT: Page , after line , insert the following section:

SEC. . BUY-AMERICAN REQUIREMENT.

(a) DETERMINATION BY THE SECRETARY.—If the Secretary, with the concurrence of the Trade Representative and the Secretary of Commerce, determines that the public interest so desires, the Secretary shall award to a domestic firm a contract that, under the use of competitive procedures, would be awarded to a foreign firm, if—

(1) the final product of the domestic firm will be completely assembled in the United States;

(2) when completely assembled, not less than 51 percent of the final product of the domestic firm will be domestically produced; and

(3) the difference between the bids submitted by the foreign and domestic firms is not more than 6 percent.

In determining under this subsection whether the public interest so requires, the Secretary shall take into account United States international obligations and trade relations.

(b) LIMITED APPLICATION.—This section shall not apply to the extent to which—

(1) such applicability would not be in the public interest;

(2) compelling national security considerations require otherwise; or

(3) the United States Trade Representative determines that such an award would be in violation of the General Agreement on Tariffs and Trade or an internationl agreement to which the United States is a party.

(c) LIMITATION.—This section shall apply only to contracts for which—

(1) amounts are authorized by this act (including the amendments made by this act) to be more available; and

(2) solicitation for bids are issued after the date of the enactment of this Act.

(d) REPORT TO CONGRESS.—The Secretary shall report to the Congress on contracts covered under this section and entered into with foreign entities in fiscal years 1990 and 1991 and shall report to the Congress on the number of Contracts that meet the requirements of subsection (a) but which are determined by the United States Trade Representative to be in violation of the General Agreement to which the United States is a party. The Secretary shall also report to the Congress on the number of contracts covered under this Act (including the amendments made by this Act) and awarded based upon the parameters of this section.

(e) DEFINITIONS.—For purposes of this section—

(1) DOMESTIC FIRM.—The term "Domestic Firm" means a business entity that is incorporated in the United States and that conducts business operations in the United States.

(2) FOREIGN FIRM.—The term "foreign firm" means a business entity not described in paragraph (2).

Mr. TRAFICANT (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TRAFICANT. Mr. Chairman, this is a Buy American amendment that requires a report to the Congress on procurement activities within appropriations of the bill.

Mr. VENTO. Will the gentleman yield?

Mr. TRAFICANT. I yield to the gentleman from Minnesota.

Mr. VENTO. Mr. Chairman, this is a Buy American amendment with regard to the BLM. We think there is some application. The gentleman has removed some of the objectionable parts of it. I have no problem with it. I understand he has added it to a number of other measures.

Mr. YOUNG of Alaska. Mr. Chairman, will the gentleman yield.

Mr. TRAFICANT. I yield to the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, I would like to compliment the gentleman on his amendment, but I would also like to suggest to this body that they keep taking away the jobs of American workers. They keep putting them away in the areas of the parks and wildlife refuges, and take away the minerals and oil, and take away the steel and the coal. Pretty soon we will not have any jobs.

The gentleman from Oregon just the other day came here. As he said, they lost 14,000 union jobs in 2 years in Oregon. My State alone, we lost 5,000 jobs because we took the jobs away.

I know everybody said we need it for the environment. The gentleman from New York spoke eloquently a moment ago, after the amendment had been adopted. That is really what we would call being up to speed. We need people to understand that the United States is built on productivity of our resources. Our coal, our steel, our energy, and we have none of that going on now.

I support Buy American, but if we do not build anything, or do not have any-

thing to build it out of it, we will not have anything.

I hope the gentleman understands my support others amendment. We pass this amendment every time, but every time we take out one oil well, one coal mine, one steelmill, one tree out of production, 1 acre, be it wetland or a refuge, we are taking a job away from an American. Not from a foreign country, but away from an American.

For some reason, there is sort of a ball over there around certain individual's heads that they think we will save the world and take jobs away from Americans. We passed the Clean Air Act. It will cost 130,000-some-odd jobs. Every time we pass one of these pieces of legislation, we are taking a job away from an American. I support the gentleman and compliment him for his amendments. But it is time we start saying, "Let's think of American workers." There may be only a few, but if we cut a tree down, we should cut it down and replant it. Let Members do what is right.

Mr. TRAFICANT. Mr. Chairman, I agree with the gentleman, and I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

The CHAIRMAN. Are there other amendments to the bill? If not, the question is on the committee amendment, in the nature of a substitute, as amended.

The committee amendment, in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. MCNULTY) having assumed the chair, Mr. LANCASTER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1096) to authorize appropriations for programs, functions, and activities of the Bureau of Land Management for fiscal years 1992, 1993, 1994, and 1995; to improve the management of the public lands; and for other purposes, pursuant to House Resolution 197, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. ANDREWS of New Jersey. Mr. Speaker, I left Washington in order to testify before a Federal judge in Philadelphia regarding the future of the Philadelphia Naval Shipyard. By order of the House, I was given leave to attend this event. Had I been present, I would have voted "no" on rollcall vote No. 218.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1096, BUREAU OF LAND MANAGEMENT AUTHORIZATION FOR FISCAL YEARS 1992 THROUGH 1995

Mr. VENTO. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of the bill, H.R. 1096, to include corrections in spelling, punctuation, section numbering, and cross-referencing.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

GENERAL LEAVE

Mr. VENTO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1096, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. McCathran, one of his secretaries.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall vote, if postponed, will be taken tomorrow.

AGRICULTURAL DISASTER ASSISTANCE ACT OF 1991

Mr. DE LA GARZA. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2893) to extend to 1991 crops the disaster assistance provisions of the Food, Agriculture, Conservation, and Trade Act of 1990, as amended.

The Clerk read as follows:

H.R. 2893

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF EMERGENCY CROP LOSS ASSISTANCE TO 1991 CROPS.

(a) EXTENSION OF ASSISTANCE TO 1991 CROPS.—Chapter 3 of subtitle B of title XXII of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 1421 note; 104 Stat. 3962) is amended to read as follows:

"CHAPTER 3—EMERGENCY CROP LOSS ASSISTANCE

"SEC. 2240. SHORT TITLE.

"This chapter may be cited as the "Agricultural Disaster Assistance Act".

"Subchapter A—Annual Crops

"SEC. 2241. PAYMENTS TO PROGRAM PARTICIPANTS FOR TARGET PRICE COMMODITIES.

"(a) DISASTER PAYMENTS.—

"(1) PAYMENT ACRES.—Effective only for a crop year for which the producers on a farm elect to participate in the production adjustment program established under the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.) for the crop of wheat, feed grains, upland cotton, extra long staple cotton, or rice for such crop year, except as otherwise provided in this subsection, if the Secretary of Agriculture determines that, because of damaging weather or related condition, the total quantity of such crop of the commodity that such producers are able to harvest on the farm is less than the result of multiplying 60 percent (or, in the case of producers who obtained crop insurance for such crop of the commodity under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), 65 percent) of the farm program payment yield established by the Secretary for such crop by the sum of the acreage planted for harvest and the acreage prevented from being planted (because of a natural disaster, as determined by the Secretary) within the payment acres for such crop, the Secretary shall make a disaster payment available to such producers at a rate equal to 65 percent of the established price for the crop for any deficiency in production greater than 40 percent (or, in the case of producers who obtained crop insurance for such crop of the commodity under the Federal Crop Insurance Act, 35 percent) for such crop.

"(2) FLEXIBLE ACRES.—Payments shall be made available for a crop of a commodity planted for harvest in accordance with section 504 of the Agricultural Act of 1949 (7 U.S.C. 1464), and for which prevented planting credit was provided for such crop, on the same terms and conditions as provided for such commodity under section 2242, 2243, or 2244, as applicable. Such payments shall be based on the reduction in the quantity of the crop of the commodity that producers are able to harvest on such acres.

"(3) LIMITATIONS.—

"(A) ACREAGE IN EXCESS OF PAYMENT ACREAGE.—Payments provided under paragraph (1) for a crop of a commodity may not be made available to producers on a farm with respect to any acreage in excess of the payment acreage (or permitted acreage in the case of the 1990 crop) for the farm for the commodity.

"(B) CROP INSURANCE.—Payments provided under paragraph (1) for a crop of a commodity may not be made available to producers on a farm unless such producers enter into an agreement to obtain multiperil crop insurance, to the extent required under section 2247.

"(4) REDUCTION IN DEFICIENCY PAYMENTS.—The total quantity of a crop of a commodity on which deficiency payments otherwise would be payable to producers on a farm under the Agricultural Act of 1949 shall be reduced by the

quantity on which a payment is made to the producers for the crop under paragraph (1).

"(5) ELECTION OF PAYMENTS.—

"(A) APPLICATION OF PARAGRAPH.—This paragraph shall apply for a crop year, effective only for the crops of wheat, feed grains, upland cotton, extra long staple cotton, and rice, to producers on a farm who—

"(i) had failed wheat, feed grain, upland cotton, extra long staple cotton, or rice acreage during such crop year; or

"(ii) were prevented from planting acreage to such commodity because of damaging weather or related condition.

"(B) ELECTION.—The Secretary of Agriculture shall (within 30 days after the date on which assistance is made available under this subchapter for a crop year) permit producers referred to in subparagraph (A) to elect whether to receive disaster payments for such crop for such crop year in accordance with this section in lieu of payments received for such crop under section 101B(c)(1)(D), 103B(c)(1)(D), 105B(c)(1)(E), or 107B(c)(1)(E) of the Agricultural Act of 1949 (or the corresponding provision in the case of the 1990 crop).

"(6) SPRING WHEAT AS REPLACEMENT CROP FOR WINTER WHEAT.—In providing assistance under this section or section 2242 for a crop of winter wheat, the Secretary shall disregard spring wheat that is planted as a replacement crop for such winter wheat.

"(b) ADVANCE DEFICIENCY PAYMENTS.—

"(1) APPLICATION OF SUBSECTION.—This subsection shall apply only for a crop year for which the producers on a farm elect to participate in the production adjustment program established under the Agricultural Act of 1949 for the crop of wheat, feed grains, upland cotton, extra long staple cotton, or rice for such crop year.

"(2) FORGIVENESS OF REFUND REQUIREMENT.—

"(A) IN GENERAL.—Subject to subparagraph (B), if because of damaging weather or related condition the total quantity of such crop of the commodity that the producers are able to harvest on the farm is less than the result of multiplying the farm program payment yield established by the Secretary for such crop by the sum of the acreage planted for harvest and the acreage prevented from being planted (because of a natural disaster, as determined by the Secretary) for such crop (hereinafter in this section referred to as the 'qualifying amount'), the producers shall not be required to refund any advance deficiency payment made to the producers for such crop under section 114 of the Agricultural Act of 1949 (7 U.S.C. 1445j) (or, in the case of 1990 crops, section 107C of such Act as in effect on November 27, 1990) with respect to that portion of the deficiency in production that does not exceed—

"(i) in the case of producers who obtained crop insurance for such crop of the commodity under the Federal Crop Insurance Act, 35 percent of the qualifying amount; and

"(ii) in the case of other producers, 40 percent of the qualifying amount.

"(B) CROP INSURANCE.—Producers on a farm shall not be eligible for the forgiveness provided for under subparagraph (A), unless such producers enter into an agreement to obtain multiperil crop insurance to the extent required under section 2247.

"(3) ELECTION FOR NONRECIPIENTS.—The Secretary shall allow producers on a farm who, before the date on which assistance is made available under this subchapter for a crop year, elect not to receive advance deficiency payments made available for the crop for such crop year under section 114 of the Agricultural Act of 1949 (7 U.S.C. 1445j) (or, in the case of 1990 crops, section 107C of such Act as in effect on November 27, 1990) to elect (within 30 days after such date) whether to receive such advance deficiency payments.

"(4) DATE OF REFUND FOR PAYMENTS.—If the Secretary determines that any portion of the advance deficiency payment made to producers for a crop of wheat, feed grains, upland cotton, extra long staple cotton, or rice under section 114 of the Agricultural Act of 1949 (7 U.S.C. 1445j) (or, in the case of 1990 crops, section 107C of such Act as in effect on November 27, 1990) must be refunded, such refund shall not be required prior to July 31 of the year following such determination for that portion of the crop for which a disaster payment is made under subsection (a).

"SEC. 2242. PAYMENTS TO PROGRAM NONPARTICIPANTS FOR TARGET PRICE COMMODITIES AND PAYMENTS TO PROGRAM PARTICIPANTS FOR TARGET PRICE COMMODITIES ON FLEXIBLE ACRES.

"(a) DISASTER PAYMENTS.—

"(1) IN GENERAL.—Effective only for a crop year for which the producers on a farm elect not to participate in the production adjustment program established under the Agricultural Act of 1949 (7 U.S.C. 1421 et seq.) for the crop of wheat, feed grains, upland cotton, extra long staple cotton, or rice for such crop year (and for such crop on flexible acres as provided under section 2241(a)(2)), if the Secretary of Agriculture determines that, because of damaging weather or related condition, the total quantity of such crop of the commodity that such producers are able to harvest on the farm is less than the result of multiplying 60 percent (or in the case of producers who obtained crop insurance for such crop, 65 percent) of the county average yield established by the Secretary for such crop by the sum of acreage planted for harvest and the acreage for which prevented planted credit is approved by the Secretary for such crop under subsection (b), the Secretary shall make a disaster payment available to such producers.

"(2) PAYMENT RATE.—The payment shall be made to the producers at a rate equal to 65 percent of the basic county loan rate (or a comparable price if there is no current basic county loan rate) for the crop, as determined by the Secretary, for any deficiency in production greater than 40 percent for the crop (or in the case of producers who obtained crop insurance, 35 percent).

"(b) PREVENTED PLANTING CREDIT.—

"(1) IN GENERAL.—The Secretary shall provide prevented planting credit under subsection (a) with respect to acreage for a crop year that producers on a farm were prevented from planting to such crop of the commodity for harvest because of damaging weather or related condition, as determined by the Secretary.

"(2) MAXIMUM ACREAGE.—Such acreage may not exceed the greater of—

"(A) a quantity equal to the acreage on the farm planted (or prevented from being planted due to a natural disaster or other condition beyond the control of the producers) to the commodity for harvest in the immediately preceding crop year minus acreage actually planted to the commodity for harvest in the crop year involved;

"(B) a quantity equal to the average of the acreage on the farm planted (or prevented from being planted due to a natural disaster or other condition beyond the control of the producers) to the commodity for harvest in the three immediately preceding crop years minus acreage actually planted to the commodity for harvest in the crop year involved; or

"(C) with respect to flexible acres as provided under section 2241(a)(2) for which no such planting history is established, a quantity of acreage determined to be fair and reasonable by the Secretary.

"(3) ADJUSTMENTS.—The Secretary shall make appropriate adjustments in applying the limitations contained in paragraph (2) to take into account crop rotation practices of the producers.

"(c) LIMITATIONS.—

"(1) ACREAGE LIMITATION PROGRAM.—The amount of payments made available to producers on a farm who elect not to participate in the production adjustment program for a crop of a commodity under subsection (a) shall be reduced by a factor equivalent to the acreage limitation program percentage established for such crop under the Agricultural Act of 1949.

"(2) CROP INSURANCE.—Payments provided under subsection (a) for a crop of a commodity may not be made available to the producers on a farm unless such producers enter into an agreement to obtain multiperil crop insurance to the extent required under section 2247.

"SEC. 2243. PEANUTS, SUGAR, AND TOBACCO.

"(a) DISASTER PAYMENTS.—

"(1) IN GENERAL.—Effective for a crop year only for crops of peanuts, sugar beets, sugarcane, and tobacco in such crop year, if the Secretary of Agriculture determines that, because of damaging weather or related condition, the total quantity of such crop of the commodity that the producers on a farm are able to harvest is less than the result of multiplying 60 percent (or, in the case of producers who obtained crop insurance for such crop of the commodity under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), 65 percent) of the county average yield (or program yield, in the case of peanuts) established by the Secretary for such crop by the sum of the acreage planted for harvest and the acreage for which prevented planted credit is approved by the Secretary for such crop under subsection (b), the Secretary shall make a disaster payment available to such producers.

"(2) PAYMENT RATE.—The payment shall be made to the producers at a rate equal to 65 percent of the applicable payment level under paragraph (3), as determined by the Secretary, for any deficiency in production greater than—

"(A) in the case of producers who obtained crop insurance for the crop of the commodity for such crop year under the Federal Crop Insurance Act—

"(i) 35 percent for the crop; or

"(ii) with respect to a crop of burley tobacco or flue-cured tobacco, 35 percent of the farm's effective marketing quota for such crop for such crop year; and

"(B) in the case of producers who did not obtain crop insurance for the crop of the commodity for such crop year under the Federal Crop Insurance Act—

"(i) 40 percent for the crop; or

"(ii) with respect to a crop of burley tobacco or flue-cured tobacco, 40 percent of the farm's effective marketing quota for such crop for such crop year.

"(3) PAYMENT LEVEL.—For purposes of paragraph (1), the payment level for a commodity shall be equal to—

"(A) for peanuts, the price support level for quota peanuts or the price support level for additional peanuts, as applicable;

"(B) for tobacco, the national average loan rate for the type of tobacco involved, or (if there is none) the market price, as determined under section 2244(a)(2); and

"(C) for sugar beets and sugarcane, a level determined by the Secretary to be fair and reasonable in relation to the level of price support established for crops of sugar beets and sugarcane for the crop year involved, and that, insofar as is practicable, shall reflect no less return to the producer than under the price support levels in effect for such crop year.

"(b) PREVENTED PLANTING CREDIT.—

"(1) IN GENERAL.—The Secretary shall provide prevented planting credit under subsection (a) with respect to acreage for a crop year that producers on a farm were prevented from planting

to such crop of the commodity for harvest because of damaging weather or related condition, as determined by the Secretary.

"(2) MAXIMUM ACREAGE.—Such acreage may not exceed the greater of—

"(A) a quantity equal to the acreage on the farm planted (or prevented from being planted due to a natural disaster or other condition beyond the control of the producers) to the commodity for harvest in the immediately preceding crop year minus acreage actually planted for harvest in the crop year involved;

"(B) a quantity equal to the average of the acreage on the farm planted (or prevented from being planted due to a natural disaster or other condition beyond the control of the producers) to the commodity for harvest in the three immediately preceding crop years minus acreage actually planted to the commodity for harvest in the crop year involved; or

"(C) with respect to flexible acres as provided under section 2241(a)(2) for which no such planting history is established, a quantity of acreage determined to be fair and reasonable by the Secretary.

"(3) ADJUSTMENTS.—The Secretary shall make appropriate adjustments in applying for a crop year the limitations contained in paragraph (2) to take into account crop rotation practices of the producers and any change in quotas for crops of tobacco for such crop year.

"(c) LIMITATION.—Payments provided under subsection (a) for a crop of a commodity may not be made available to the producers on a farm unless such producers enter into an agreement to obtain multiperil crop insurance to the extent required under section 2247.

"(d) SPECIAL RULES FOR PEANUTS.—Notwithstanding any other provision of law—

"(1) a deficiency in production of quota peanuts from a farm, as otherwise determined under this section, shall be reduced by the quantity of peanut poundage quota that was the basis of such anticipated production that has been transferred from the farm;

"(2) payments made under this section shall be made taking into account whether the deficiency for which the deficiency in production is claimed was a deficiency in production of quota or additional peanuts and the payment rate shall be established accordingly; and

"(3) the quantity of undermarketings of quota peanuts from a farm for a crop that may otherwise be claimed under section 358–1 of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1358–1) (or, in the case of 1990 crops of peanuts, section 358 of such Act as in effect on November 27, 1990) for purposes of future quota increases shall be reduced by the quantity of the deficiency of production of such peanuts for which payment has been received under this section.

"(e) SPECIAL RULES FOR TOBACCO.—Notwithstanding any other provision of law—

"(1) the quantity of undermarketings of quota tobacco from a farm for a crop that may otherwise be claimed under section 317 or 319 of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1314c or 1314e) for purposes of future quota increases shall be reduced by the quantity of the deficiency of production of such tobacco for which payment has been received under this section; and

"(2) disaster payments made to producers under this section may not be considered by the Secretary in determining the net losses of the Commodity Credit Corporation under section 106A(d) of the Agricultural Act of 1949 (7 U.S.C. 1445–1(d)).

"(f) SPECIAL RULE FOR SUGARCANE.—For purposes of determining the total quantity of a crop of sugarcane that the producers on a farm are able to harvest, the Secretary shall make the determination based on the quantity of recoverable sugar.

"SEC. 2244. OILSEEDS AND NONPROGRAM CROPS.

"(a) DISASTER PAYMENTS.—

"(1) IN GENERAL.—

"(A) ELIGIBILITY.—Effective for a crop year only for the crops of oilseeds (as defined in section 205(a) of the Agricultural Act of 1949 (7 U.S.C. 1446f(a)) and nonprogram crops, the Secretary shall make a disaster payment under this section available to the producers on a farm if the Secretary of Agriculture determines that, because of damaging weather or related condition, the total quantity of such crop of the commodity that the producers are able to harvest is less than—

"(i) with respect to oilseeds, the result of multiplying 60 percent (or in the case of producers who obtained crop insurance, if available, for such crop year for the commodity under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), 65 percent of the State, area, or county yield, adjusted for adverse weather conditions during the three immediately preceding crop years, as determined by the Secretary, for such crop by the sum of the acreage planted for harvest and the acreage for which prevented planting credit is approved by the Secretary for such crop under subsection (b);

"(ii) with respect to nonprogram crops (other than as provided in clauses (i), (iii), (iv)), the result of multiplying 60 percent (or in the case of producers who obtained crop insurance, if available, for such crop year for the commodity under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), 65 percent of the yield established by the Commodity Credit Corporation under subsection (d)(2) for such crop by the sum of the acreage planted for harvest and the acreage for which prevented planting credit is approved by the Secretary for such crop under subsection (b);

"(iii) with respect to crops covered in section 207 of the Agricultural Act of 1949 (7 U.S.C. 1446h) (or, in the case of 1990 crops, section 201(b) of such Act as in effect on November 27, 1990), 60 percent (or in the case of producers who obtained crop insurance, if available, for such crop year for the commodity under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), 65 percent of the historical annual yield of the producers for such crops, as determined by the Secretary; and

"(iv) with respect to fish or seafood, 60 percent of the historical annual yield of the producers of such crops, as determined by the Secretary.

"(B) PAYMENT RATE.—The payment shall be made to such producers at a rate equal to 65 percent of the applicable payment level under paragraph (2), as determined by the Secretary, for any deficiency in production greater than 40 percent for oilseeds and other nonprogram crops for the crop, except that in the case of producers who obtained crop insurance, if available, for such crop under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), 35 percent.

"(C) SPECIAL RULE FOR 1990 CROPS.—In the case of 1990 crops, assistance under this section shall be available only to the extent that assistance was not made available under the Disaster Assistance Act of 1989 (Public Law 101–82; 103 Stat. 564) for the same losses of such crops.

"(D) LIMITATION ON ASSISTANCE FOR AQUACULTURE.—The total amount of payments made available to all producers under subparagraph (A)(iv) shall not exceed $30,000,000 in any year.

"(2) PAYMENT LEVEL.—For purposes of paragraph (1), the payment level for a commodity shall equal the simple average price received by producers of the commodity, as determined by the Secretary subject to paragraph (3), during the marketing years for the immediately preceding 5 crops of the commodity, excluding the year in which the average price was the highest and the year in which the average price was the lowest in such period.

"(3) CALCULATION OF PAYMENTS FOR DIFFERENT VARIETIES.—

"(A) CROP-BY-CROP BASIS.—The Secretary shall make disaster payments under this subsection on a crop-by-crop basis, with consideration given to markets and uses of the crops, under regulations issued by the Secretary.

"(B) DIFFERENT VARIETIES.—For purposes of determining the payment levels on a crop-by-crop basis, the Secretary shall consider as separate crops, and develop separate payment levels insofar as is practicable for, different varieties of the same commodity, and commodities for which there is a significant difference in the economic value in the market.

"(C) DOUBLE CROPPING.—

"(i) TREATED SEPARATELY.—In the case of a crop that is historically double cropped (including two crops of the same commodity) by the producers on a farm, the Secretary shall treat each cropping separately for purposes of determining whether the crop was affected by damaging weather or related condition and the total quantity of the crop that the producers are able to harvest.

"(ii) APPLICATION OF SUBPARAGRAPH.—This subparagraph shall not apply in the case of a replacement crop.

"(D) NAVEL AND VALENCIA ORANGES TREATED AS SEPARATE CROPS.—For the purpose of programs administered under this chapter and the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.), navel oranges and valencia oranges shall be considered separate crops.

"(4) EXCLUSIONS FROM HARVESTED QUANTITIES.—For purposes of determining the total quantity of a nonprogram crop of the commodity that the producers on a farm are able to harvest under paragraph (1), the Secretary shall exclude—

"(A) commodities that cannot be sold in normal commercial channels of trade; and

"(B) dockage, including husks and shells, if such dockage is excluded in determining yields under subsection (d)(2).

"(b) PREVENTED PLANTING CREDIT.—

"(1) IN GENERAL.—The Secretary shall provide prevented planting credit under subsection (a) with respect to acreage for a crop year that producers on a farm were prevented from planting to the crop of the commodity for harvest because of damaging weather or related condition, as determined by the Secretary.

"(2) MAXIMUM ACREAGE.—Such acreage may not exceed the greater of—

"(A) a quantity equal to the acreage on the farm planted (or prevented from being planted due to a natural disaster or other condition beyond the control of the producers) to the commodity for harvest in the immediately preceding crop year minus acreage actually planted for harvest in the crop year involved;

"(B) a quantity equal to the average of the acreage on the farm planted (or prevented from being planted due to a natural disaster or other condition beyond the control of the producers) to the commodity for harvest in the three immediately preceding crop years minus acreage actually planted to the commodity for harvest in the crop year involved; or

"(C) with respect to flexible acres as provided under section 2241(a)(2) for which no such planting history is established, a quantity of acreage determined to be fair and reasonable by the Secretary.

"(3) ADJUSTMENTS.—The Secretary shall make appropriate adjustments in applying the limitations contained in paragraph (2) to take into account crop rotation practices of the producers.

"(c) LIMITATION.—Payments provided under subsection (a) for a crop of a commodity may not be made available to the producers on a farm unless such producers enter into an agreement to obtain multiperil crop insurance to the extent required under section 2247.

"(d) SPECIAL RULES FOR NONPROGRAM CROPS.—

"(1) NONPROGRAM CROP DEFINED.—

"(A) INCLUDED IN DEFINITION.—Except as provided in subparagraph (B), for purposes of this section, the term 'nonprogram crop' means—

"(i) all crops for which crop insurance through the Federal Crop Insurance Corporation was available for a crop year; and

"(ii) other commercial crops for which such insurance was not available for such crop year, including but not limited to—

"(I) ornamentals, such as flowering shrubs, flowering trees, field or container grown roses, or turf;

"(II) sweet potatoes; and

"(III) fish or seafood produced in established freshwater commercial aquaculture operations.

"(B) EXCEPTION.—The term 'nonprogram crop' in subparagraph (A) shall not include a crop covered under section 2241, 2242, or 2243, or oilseeds.".

"(2) FARM YIELDS.—

"(A) ESTABLISHMENT.—The Commodity Credit Corporation shall establish disaster program farm yields for nonprogram crops to carry out this section.

"(B) PROVEN YIELDS AVAILABLE.—If the producers on a farm can provide satisfactory evidence to the Commodity Credit Corporation of actual crop yields on the farm for at least one of the immediately preceding three crop years, the yield for the farm shall be based on such proven yield.

"(C) PROVEN YIELDS NOT AVAILABLE.—If such data do not exist for any of the three preceding crop years, the Commodity Credit Corporation shall establish a yield for the farm by using a county average yield for the commodity, or by using other data available to it.

"(D) COUNTY AVERAGE YIELDS.—In establishing county average yields for nonprogram crops, the Commodity Credit Corporation shall use the best available information concerning yields. Such information may include extension service records, credible nongovernmental studies, and yields in similar counties.

"(3) RESPONSIBILITY OF PRODUCERS.—It shall be the responsibility of the producers of nonprogram crops to provide satisfactory evidence of crop losses for a crop year resulting from damaging weather or related condition in order for such producers to obtain disaster payments under this section.

"(e) SPECIAL RULE FOR VALENCIA ORANGES.—For the purposes of this section, the 1990 crop of valencia oranges shall include any crop of valencia oranges, regardless of the year in which those oranges would be harvested, that was destroyed or damaged by damaging weather or related condition in 1990.

"SEC. 2245. CROP QUALITY REDUCTION DISASTER PAYMENTS.

"(a) IN GENERAL.—To ensure that all producers of crops covered under sections 2241 through 2244 are treated equitably, the Secretary of Agriculture shall make additional disaster payments to producers of such crops for a crop year who suffer losses resulting from the reduced quality of such crops caused by damaging weather or related condition, as determined by the Secretary.

"(b) ELIGIBLE PRODUCERS.—If the Secretary determines to make crop quality disaster payments available to producers under subsection (a), producers on a farm of a crop described in subsection (a) shall be eligible to receive reduced quality disaster payments only if such producers incur a deficiency in production of not less than 35 percent and not more than 75 percent for such crop (as determined under section 2241, 2242, 2243, or 2244, as appropriate).

"(c) MAXIMUM PAYMENT RATE.—The Secretary shall establish the reduced quality disaster payment rate, except that such rate shall not exceed 10 percent, as determined by the Secretary, of—

"(1) the established price for the crop, for commodities covered under section 2241;

"(2) the basic county loan rate for the crop (or a comparable price if there is no current basic county loan rate), for commodities covered under section 2242;

"(3) the payment level under section 2243(a)(3), for commodities covered by section 2243; and

"(4) the payment level under section 2244(a)(2), for commodities covered under section 2244.

"(d) DETERMINATION OF PAYMENT.—The amount of payment to a producer under this section shall be determined by multiplying the payment rate established under subsection (c) by the portion of the actual harvested crop on the producer's farm that is reduced in quality by such natural disaster, as determined by the Secretary.

"SEC. 2246. EFFECT OF FEDERAL CROP INSURANCE PAYMENTS.

"In the case of producers on a farm who obtained crop insurance for a crop of a commodity under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), the Secretary of Agriculture shall reduce the amount of payments made available under this subchapter for such crop to the extent that the amount determined by adding the net amount of crop insurance indemnity payment (gross indemnity less premium paid) received by such producers for the deficiency in the production of the crop and the disaster payment determined in accordance with this chapter for such crop exceeds the amount determined by multiplying—

"(1) 100 percent of the yield used for the calculation of disaster payments made under this chapter for such crop; by

"(2) the sum of the acreage of such crop planted to harvest and the acreage for which prevented planting credit is approved by the Secretary (or, in the case of disaster payments under section 2241, the eligible acreage established under paragraphs (1) and (3)(A) of section 2241(a)); by

"(3)(A) in the case of producers who participated in a production adjustment program for the crop of wheat, feed grains, upland cotton, extra long staple cotton, or rice for such crop year, the established price for such crop of the commodity;

"(B) in the case of producers who did not participate in a production adjustment program for the crop of wheat, feed grains, upland cotton, extra long staple cotton, or rice for such crop year (and, with respect to flexible acres as provided under section 2241(a)(2), in the case of those producers who did participate in such program for such year), the basic county loan rate (or a comparable price, as determined by the Secretary, if there is no current basic county loan rate) for such crop of the commodity;

"(C) in the case of producers of sugar beets, sugarcane, peanuts, or tobacco, the payment level for the commodity established under section 2243(a)(3); and

"(D) in the case of producers of oilseeds or a nonprogram crop (as defined in section 2244(d)(1)), the simple average price received by producers of the commodity, as determined by the Secretary, during the marketing years for the immediately preceding five crops of the commodity, excluding the year in which the average price was the highest and the year in which the average price was the lowest in such period.

"SEC. 2247. CROP INSURANCE COVERAGE FOR NEXT CROP YEAR.

"(a) REQUIREMENT.—To be eligible to receive for a crop year a disaster payment under this subchapter, an emergency loan under subtitle C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961 et seq.) for crop losses due to damaging weather or related condition, or forgiveness of the repayment of advance deficiency payments under section 2241(b), the producers on a farm shall agree to obtain multiperil crop insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) for the first crop year that begins after the producer receives the payment, loan, or forgiveness for the crop of the commodity for which such payments, loans, or forgiveness are sought.

"(b) LIMITATIONS.—Notwithstanding subsection (a), producers on a farm shall not be required to agree to obtain crop insurance under subsection (a) for a commodity—

"(1) unless such producers' deficiency in production, with respect to the crop for which a disaster payment under this chapter otherwise may be made, exceeds 65 percent;

"(2) where, or if, crop insurance coverage is not available to the producers for the commodity for which the payment, loan, or forgiveness is sought;

"(3) if the producers' annual premium rate for such crop insurance is an amount greater than 125 percent of the average premium rate for insurance on that commodity for the preceding crop year in the county in which the producers are located;

"(4) in any case in which the producers' annual premium for such crop insurance is an amount greater than 25 percent of the amount of the payment, loan, or forgiveness received; or

"(5) if the producers can establish by appeal to the county committee established under section 8(b) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590(b)), or to the county committee established under section 332 of the Consolidated Farm and Rural Development Act (17 U.S.C. 1982), as appropriate, that the purchase of crop insurance would impose an undue financial hardship on such producers and that a waiver of the requirement to obtain crop insurance should, in the discretion of the county committee, be granted.

"(c) IMPLEMENTATION.—

"(1) COUNTY COMMITTEES.—The Secretary of Agriculture shall ensure (acting through the county committees established under section 8(b) of the Soil Conservation and Domestic Allotment Act and located in the counties in which the assistance programs provided for under sections 2241 through 2245 are implemented, and through the county committees established under section 332 of the Consolidated Farm and Rural Development Act in counties in which emergency loans, as described in subsection (a), are made available) that producers who apply for assistance, as described in subsection (a), obtain multiperil crop insurance as required under this section.

"(2) OTHER SOURCES.—Each producer who is subject to the requirements of this section may comply with such requirements by providing evidence of multiperil crop insurance coverage from sources other than through the county committee office, as approved by the Secretary.

"(3) COMMISSIONS.—The Secretary shall provide by regulation for a reduction in the commissions paid to private insurance agents, brokers, or companies on crop insurance contracts entered into under this section sufficient to reflect that such insurance contracts principally involve only a servicing function to be performed by the agent, broker, or company.

"(d) REPAYMENT OF BENEFITS.—Notwithstanding any other provision of law, if (before the end of the crop year for which multiperil crop insurance is obtained pursuant to subsection (a)) such crop insurance coverage is canceled by the producer, the producer—

"(1) shall make immediate repayment to the Secretary of any disaster payment or forgiven

advance deficiency payment that the producer otherwise is required to repay; and

"(2) shall become immediately liable for full repayment of all principal and interest outstanding on any emergency loan described in subsection (a) made subject to this section.

"SEC. 2248. CROPS HARVESTED FOR FORAGE USES.

"Not later than 45 days after funds are appropriated to carry out this subchapter for a crop year, the Secretary of Agriculture shall announce the terms and conditions by which producers on a farm may establish a yield for that crop year with respect to crops that were, or will be, harvested during such crop year for silage and other forage uses.

"SEC. 2249. PAYMENT LIMITATIONS.

"(a) LIMITATION.—Subject to subsections (b) and (c), the total amount of payments that a person shall be entitled to receive for a crop year under one or more of the programs established under this subchapter may not exceed $100,000.

"(b) NO DOUBLE BENEFITS.—No person may receive disaster payments for a crop year under this subchapter to the extent that such person receives a livestock emergency benefit for lost feed production in that year under section 606 of the Agricultural Act of 1949 (7 U.S.C. 1471d).

"(c) COMBINED LIMITATION.—

"(1) IN GENERAL.—No person may receive any payment under this subchapter or benefit under title VI of the Agricultural Act of 1949 (7 U.S.C. 1471 et seq.) for livestock emergency losses suffered in a crop year if such payment or benefit will cause the combined total amount of such payments and benefits received by such person in such year to exceed $100,000.

"(2) ELECTION.—If a producer is subject to paragraph (1), the person may elect (subject to the benefits limitations under section 609 of the Agricultural Act of 1949 (7 U.S.C. 1471g) whether to receive the $100,000 in such payments, or such livestock emergency benefits (not to exceed $50,000), or a combination of payments and benefits specified by the person.

"(d) REGULATIONS.—The Secretary of Agriculture shall issue regulations prescribing such rules as the Secretary determines necessary to ensure a fair and reasonable application of the limitations established under this section.

"SEC. 2250. SUBSTITUTION OF CROP INSURANCE PROGRAM YIELDS.

"(a) IN GENERAL.—Notwithstanding any other provision of this chapter, the Secretary of Agriculture may permit each eligible producer of a crop of a commodity who has obtained multiperil crop insurance for such crop for a crop year or, as provided in subsection (c), the preceding crop year under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) to substitute, at the discretion of the producer, the crop insurance yield for such crop, as established under such Act, for the farm yield otherwise assigned to the producer under this subchapter, for the purposes of determining such producer's eligibility for a disaster payment on such crop under this subchapter for the crop year involved and the amount of such payment.

"(b) ADJUSTMENT OF ADVANCED DEFICIENCY PAYMENTS.—

"(1) IN GENERAL.—Notwithstanding any other provision of this chapter, if an eligible producer of wheat, feed grains, upland cotton, extra long staple cotton, or rice for a crop year elects to substitute yields for such producer's crop under subsection (a), the producer's eligibility for a waiver of repayment of an advance deficiency payment on such crop under this chapter shall be adjusted as provided in paragraph (2).

"(2) AMOUNT.—The amount of production of such crop on which the producer otherwise would be eligible for waiver of repayment of advance deficiency payments under this subchapter shall be reduced by an amount of production equal to the difference between—

"(A) the amount of production eligible for disaster payments under this subchapter using a substituted yield under this section; and

"(B) the amount of production that would have been eligible for disaster payments using the farm program payment yield otherwise assigned to the producer under this chapter.

"(c) MULTIPERIL CROP INSURANCE NOT AVAILABLE.—A producer may use the crop insurance yield for the producer's crop of a commodity for the preceding crop year for purposes of substituting yields under subsection (a) if the producer demonstrates to the Secretary that, through no fault of the producer, multiperil crop insurance under the Federal Crop Insurance Act was not made available to the producer for the producer's crop of the commodity for the crop year involved.

"(d) DEFINITION OF ELIGIBLE PRODUCER.—For purposes of this section, the term 'eligible producer' means a producer of a crop of wheat, feed grains, upland cotton, extra long staple cotton, rice, or oilseeds.

"SEC. 2251. DE MINIMIS YIELDS.

"The Secretary of Agriculture may determine a de minimis yield for each crop eligible for reduced yield disaster payments under this subchapter. The de minimis yield shall be set at a level that will minimize any incentive (because of the prospect of disaster payments) for a producer to abandon crops that have a value that exceeds the cost of harvesting. In no case may the de minimis yield be less than the amount of production that, when valued at current market prices, equals the average cost of harvesting the crop, as determined by the Secretary. Any producer whose actual yield for a crop is equal to or less than the de minimis yield for such crop shall be considered as having an actual yield of zero for the purpose of calculating any reduced yield disaster payments for such crop under this subchapter.

"SEC. 2252. SEPARATE TREATMENT OF EACH PRODUCER ON A FARM.

"A producer on a farm who produces any crop of a commodity for which disaster payments are made available under this subchapter shall qualify for a disaster payment if the total quantity of the commodity that the producer is able to harvest on that farm is reduced as a result of damaging weather or related condition in an amount that meets the criteria of section 2241, 2242, 2243, or 2244, even though the producers on the farm, collectively, may not meet such criteria.

"SEC. 2253. DEFINITIONS.

"For purposes of this chapter:

"(1) DAMAGING WEATHER.—The term 'damaging weather' includes but is not limited to drought, hail, excessive moisture, freeze, tornado, hurricane, earthquake, or excessive wind (or any combination thereof) that occurs during the calendar year in which the crop involved is intended to be harvested or the preceding calendar year.

"(2) RELATED CONDITION.—The term 'related condition' includes but is not limited to insect infestations, plant diseases, or other deterioration of a crop of a commodity, including aflatoxin, that is accelerated or exacerbated naturally as a result of damaging weather occurring prior to or during harvest.

"(3) PERSON.—The term 'person' shall have the meaning given such term by the Secretary in regulations, which shall conform, to the extent practicable, to the regulations defining such term issued under section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) and the Disaster Assistance Act of 1988 (7 U.S.C. 1421 note).

"Subchapter B—Orchards

"SEC. 2255. ELIGIBILITY.

"(a) LOSS.—The Secretary of Agriculture shall provide assistance under section 2256 to eligible orchardists that planted trees for commercial purposes but lost such trees as a result of damaging weather or related condition occurring in a calendar year after 1989, as determined by the Secretary.

"(b) LIMITATION.—An eligible orchardist shall qualify for assistance under subsection (a) only if such orchardist's tree mortality, as a result of the damaging weather or related condition, exceeds 35 percent (adjusted for normal mortality).

"SEC. 2256. ASSISTANCE.

"The assistance provided by the Secretary of Agriculture to eligible orchardists for losses described in section 2255 shall consist of either—

"(1) reimbursement of 65 percent of the cost of replanting trees lost and rehabilitating or restoring trees damaged as a result of damaging weather or related condition in the calendar year involved in excess of 35 percent mortality (adjusted for normal mortality); or

"(2) at the discretion of the Secretary, sufficient seedlings to reestablish the stand.

"SEC. 2257. LIMITATION ON ASSISTANCE.

"(a) LIMITATION.—The total amount of payments that a person shall be entitled to receive under this subchapter for a calendar year may not exceed $25,000, or an equivalent value in tree seedlings.

"(b) REGULATIONS.—The Secretary of Agriculture shall issue regulations prescribing such rules as the Secretary determines necessary to ensure a fair and reasonable application of the limitation established under this section.

"SEC. 2258. DEFINITION.

"For purposes of this subchapter, the term 'eligible orchardist' means a person who produces annual crops from trees for commercial purposes and owns 500 acres or less of such trees.

"SEC. 2259. DUPLICATIVE PAYMENTS.

"The Secretary of Agriculture shall establish guidelines to ensure that no person receives duplicative payments under this subchapter and the forestry incentives program, agricultural conservation program, or other Federal program.

"Subchapter C—Forest Crops

"SEC. 2261. ELIGIBILITY.

"(a) LOSS.—The Secretary of Agriculture shall provide assistance, as specified in section 2262, to eligible tree farmers that planted tree seedlings in a calendar year or the next calendar year for commercial purposes but lost such seedlings as a result of damaging weather or related condition occurring in such next calendar year, as determined by the Secretary.

"(b) LIMITATION.—An eligible tree farmer shall qualify for assistance under subsection (a) only if such tree farmer's tree seedling mortality, as a result of the damaging weather or related condition, exceeds 35 percent (adjusted for normal mortality).

"SEC. 2262. ASSISTANCE.

"The assistance provided by the Secretary of Agriculture to eligible tree farmers for losses described in section 2261 shall consist of either—

"(1) reimbursement of 65 percent of the cost of replanting seedlings lost due to damaging weather or related conditions in the calendar year involved in excess of 35 percent mortality (adjusted for normal mortality); or

"(2) at the discretion of the Secretary, sufficient tree seedlings to reestablish the stand.

"SEC. 2263. LIMITATION ON ASSISTANCE.

"(a) LIMITATION.—The total amount of payments that a person shall be entitled to receive under this subchapter may not exceed $25,000 for a calendar year, or an equivalent value in tree seedlings.

"(b) REGULATIONS.—The Secretary of Agriculture shall issue regulations prescribing such rules as the Secretary determines necessary to ensure a fair and reasonable application of the limitation established under this section.

"SEC. 2264. DEFINITION.

"For purposes of this subchapter, the term 'eligible tree farmer' means a person who grows trees for harvest for commercial purposes and owns 1,000 acres or less of such trees.

"SEC. 2265. DUPLICATIVE PAYMENTS.

"The Secretary of Agriculture shall establish guidelines to ensure that no person receives duplicative payments under this subchapter and the forestry incentives program, agricultural conservation program, or other Federal program.

"Subchapter D—Administrative Provisions

"SEC. 2266. INELIGIBILITY.

"(a) GENERAL RULE.—A person who has qualifying gross revenues in excess of $2,000,000 annually, as determined by the Secretary of Agriculture, shall not be eligible to receive any disaster payment or other benefits under this chapter.

"(b) QUALIFYING GROSS REVENUES.—For purposes of this section, the term "qualifying gross revenues" means—

"(1) if a majority of the person's annual income is received from farming, ranching, and forestry operations, the gross revenue from the person's farming, ranching, and forestry operations; and

"(2) if less than a majority of the person's annual income is received from farming, ranching, and forestry operations, the person's gross revenue from all sources.

"SEC. 2267. TIMING AND MANNER OF ASSISTANCE.

"(a) TIMING OF ASSISTANCE.—

"(1) ASSISTANCE MADE AVAILABLE AS SOON AS PRACTICABLE.—Subject to paragraph (2), the Secretary of Agriculture shall make disaster assistance available under this chapter for a crop year or a calendar year, as applicable, as soon as practicable after the date on which appropriations are made available to carry out this chapter for such year.

"(2) COMPLETED APPLICATION.—No payment or benefit provided under this chapter shall be payable or due until such time as a completed application for such payment or benefit for a crop of a commodity has been approved.

"(b) MANNER.—The Secretary may make payments available under subchapter A in the form of cash, commodities, or commodity certificates, as determined by the Secretary.

"SEC. 2268. COMMODITY CREDIT CORPORATION.

"(a) USE.—The Secretary of Agriculture shall use the funds, facilities, and authorities of the Commodity Credit Corporation in carrying out this chapter.

"(b) EXISTING AUTHORITY.—The authority provided by this chapter shall be in addition to, and not in place of, any authority granted to the Secretary or the Commodity Credit Corporation under any other provision of law.

"SEC. 2269. EMERGENCY LOANS.

"Section 321(b) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(b)) shall not apply for a calendar year to persons who otherwise would be eligible for an emergency loan under subtitle C of such Act, if such eligibility is the result of damage to an annual crop planted for harvest in such year.

"SEC. 2270. REGULATIONS.

"The Secretary of Agriculture or the Commodity Credit Corporation, as appropriate, shall issue regulations to implement this chapter as soon as practicable after the date on which appropriations are made to carry out this chapter, without regard to the requirement for notice and public participation in rule making prescribed in section 553 of title 5, United States Code, or in any directive of the Secretary.

"Subchapter E—Appropriations

"SEC. 2271. AUTHORIZATION OF APPROPRIATIONS.

"Any benefits or assistance (including the foregiveness of unearned advanced deficiency payments or any emergency loans) made available under this chapter shall be provided for a year only to the extent provided for in advance in appropriations Acts. To carry out this chapter, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1991 and 1992. Sums appropriated under this section shall remain available until expended.

"SEC. 2272. PRORATION OF BENEFITS.

"Any funds made available for carrying out this chapter for a calendar year in appropriations Acts shall be prorated to all producers eligible for assistance under this chapter in such year.

"Subchapter F—Application of Chapter

"SEC. 2273. APPLICATION OF CHAPTER.

"(a) ANNUAL CROPS.—Subchapter A and section 2269 shall apply only with respect to 1990 and 1991 crops.

"(b) ORCHARDS AND FOREST CROPS.—Subchapters B and C shall apply only with respect to calendar years 1990 and 1991.".

(b) APPLICATION FOR ASSISTANCE.—

(1) PRODUCERS AFFECTED BY AMENDMENTS.—In the case of agricultural producers of 1990 or 1991 crops who are affected by the amendments made by this section, the Secretary of Agriculture shall allow those producers to submit applications for initial or additional assistance under chapter 3 of subtitle B of title XXII of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 1421 note) until the later of—

(A) the date established by the Secretary under section 2267(a) of such Act for final submission of applications;

(B) the end of the 60-day period beginning on the date of the enactment of this Act; or

(C) the end of the 60-day period beginning on the date on which funds are appropriated to provide assistance for losses resulting from disasters as provided under chapter 3 of subtitle B or subtitle C of title XXII of the Food, Agriculture, Conservation, and Trade Act of 1990, or under this Act.

(2) NOTICE OF DETERMINATION.—Not later than 60 days after the date on which the Secretary receives an application for assistance under subsection (a), the Secretary shall inform the producer submitting the application of the Secretary's determination with regard to the application.

(c) CLERICAL AMENDMENTS.—The table of contents in section 1(b) of the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101–624; 104 Stat. 3359) is amended—

(1) by inserting after the item relating to the chapter heading of chapter 3 of subtitle B of title XXII of such Act the following new item:

"Sec. 2240. Short title.";

(2) by striking the item relating to section 2242 and inserting the following new item:

"Sec. 2242. Payments to program nonparticipants for target price commodities and payments to program participants for target price commodities on flexible acres.";

(3) by striking the item relating to section 2244 and inserting the following new item:

"Sec. 2244. Oilseeds and nonprogram crops.";

(4) by striking the item relating to section 2247 and inserting the following new item:

"Sec. 2247. Crop insurance coverage required for next crop year.";

(5) by striking the item relating to section 2251 and inserting the following new items:

"Sec. 2251. De minimis yields.

"Sec. 2252. Separate treatment of each producer on a farm.

"Sec. 2253. Definitions."; and

(6) by inserting after the item relating to section 2272 the following new items:

"SUBCHAPTER F—APPLICATION OF CHAPTER

"Sec. 2273. Application of chapter.".

SEC. 2. EMERGENCY GRANTS TO ASSIST LOW-INCOME MIGRANT AND SEASONAL FARMWORKERS.

(a) INCLUSION OF PERMANENT FARMWORKERS AND PACKINGHOUSE WORKERS.—Section 2281 of the Food, Agriculture, Conservation, and Trade Act of 1990 (42 U.S.C. 5177a) is amended—

(1) by inserting ", permanent," after "migrant" each place it appears; and

(2) in subsection (b)—

(A) by inserting "(including a packinghouse worker)" after "an individual"; and

(B) by inserting "or packinghouse work" after "farm work" both places it appears.

(b) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The section heading of such section is amended to read as follows:

"SEC. 2281. EMERGENCY GRANTS TO ASSIST LOW-INCOME FARMWORKERS AND PACKINGHOUSE WORKERS.".

(2) TABLE OF CONTENTS.—The item relating to such section in the table of contents in section 1(b) of the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101–624; 104 Stat. 3359) is amended to read as follows:

"Sec. 2281. Emergency grants to assist low-income farmworkers and packinghouse workers.".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas [Mr. DE LA GARZA] will be recognized for 20 minutes, and the gentleman from Missouri [Mr. COLEMAN] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Texas [Mr. DE LA GARZA].

□ 1730

Mr. DE LA GARZA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, some people think that the only time we have full-fledged disasters is when Dan Rather and Tom Brokaw are walking through a drought-stunted cornfield in Iowa.

The truth of the matter is that Mother Nature has dealt a cruel blow to many farmers and farmworkers around the country this year.

Agricultural producers throughout much of California have had to deal with a devastating freeze this past winter on top of the continuing drought. The freeze put thousands of low-income farmworkers out of work for months in some areas.

Severe flooding delayed planting and destroyed crops for thousands of farmers from Louisiana and Mississippi up the Mississippi River Valley to Iowa and Minnesota.

Disasters of smaller but equally devastating magnitude have fallen upon many other agricultural producers around the country. In my own district in South Texas we have it all—drought, flooding, and now even the Africanized honeybee.

I will admit that this year's lengthy list of disasters has not captured the national media's attention for longer than a 90-second blurb. But that doesn't make the physical and financial losses for the affected farmers and farmworkers any less real.

In fact, in 1990, nearly 1,400 counties out of the 3,000 rural counties in the United States were declared disaster areas. This year, 559 counties have already been declared disaster areas.

Unfortunately, less than half of the Nation's eligible producers carry crop insurance, and for others crop insurance is not even available.

Mr. Speaker, for all these reasons and until we are able to create a crop insurance program that will cover a large majority of agricultural producers, H.R. 2893 is needed.

This bill basically extends through 1991 a disaster assistance program for crop producers that was authorized in the 1990 farm bill, the Food, Agriculture, Conservation and Trade Act of 1990.

H.R. 2893 would extend the same threshold loss levels and payment rates as were included in the 1989 and 1990 disaster assistance laws.

H.R. 2893 continues the general requirement that a producer applying for disaster benefits for 1991 crop losses must agree to obtain crop insurance for the 1992 crop.

The bill also continues the limit on total payments a person may receive through disaster assistance programs—including livestock emergency benefits—to not exceed $100,000. A person with a qualifying gross revenue of over $2 million per year is not eligible to receive any disaster payments.

I am pleased to report that H.R. 2893 contains a provision clarifying that low-income permanent farmworkers and packing house workers are eligible for assistance under the low-income migrant and seasonal farmworker provisions of the 1990 farm act. This will provide much-needed assistance to workers in fruit and vegetable growing areas that lost their jobs due to crop disasters, such as the devastating California freeze.

Mr. Speaker, this bill, if enacted into law, is still subject to a separate funding measure being approved.

Although action to fund this bill is uncertain at this time, it is necessary that the House act on this bill now so that the parameters of a disaster payment program are clearly defined if funding becomes a reality.

Mr. Speaker, I urge my colleagues to support this bill.

Mr. COLEMAN of Missouri. Mr. Chairman, I yield myself such time as I may consume.

Mr. Speaker, I support the adoption of H.R. 2893, a bill extending the disaster assistance provisions of the Food, Agriculture, Conservation and Trade Act, the 1990 farm bill.

Mr. Speaker, many of America's farmers and producers need disaster assistance now. They include California producers whose crops were destroyed or damaged in the 1990 freeze, flooding in Southern States and drought in other parts of the Nation.

We have seen the devastation caused by flooding in the Mississippi Delta this spring. We heard testimony in committee from farmers in the delta who could water ski across their fields this spring. Disaster damage in Mississippi and Louisiana alone may total nearly a half billion dollars. In Texas, damage in 1990 and 1991 totals more than $2 billion.

And just as some producers are reeling in the aftermath of floods, farmers in central Illinois are wondering what kind of assistance, if any, may be forthcoming as they watch their crops burn up in the fields.

Although it still is too early to determine the extent of damage to spring planted crops in north Missouri, our soft red winter wheat crop was severely damaged, both in yields and quality. Farmers have been turned away at the elevators because of low test weight on their wheat, in some cases less than 50 pounds per bushel, as measured by University of Missouri extension agronomists. In addition, the various disease problems associated with the poor crop make the wheat in many cases unsuitable for animal feed. Extension agronomists estimate that 55 to 85 percent of Missouri's soft winter wheat crop is not marketable.

To compound the problems, these disasters are coming on the heels of a recession in the farm economy that many producers are just now recovering from. Those who barely made it through the mid 1980s are operating on the thinnest of margins. Without assistance, bad weather will put many of them over the edge into bankruptcy or foreclosure.

The committee has made some minor, technical changes in the legislation to reflect new policies written in the 1990 farm bill. Generally, those changes include recognition of oilseed producers instead of solely soybean farmers and payments that account for flexible acres that were a part of last year's farm and omnibus budget bills. Payment rates and beneficiaries otherwise are the same as contained in the 1990 farm bill.

This legislation also authorizes appropriations for fiscal years 1991 and 1992.

Mr. Speaker, assuming funds are appropriated, this legislation will provide disaster assistance to farm program participants as well as those producers whose crops are not included in the commodity programs: orchards and forest crops, ornamentals and turf, and fish produced in freshwater commercial aquaculture operations.

Although the committee considered eliminating a provision to require assisted producers to buy crop insurance next planting season, the legislation continues the policy that producers must obtain multiperil crop insurance for their 1992 crops with the exceptions that are enumerated in the bill. The members reluctantly kept it in the bill, even though passage of this ad hoc disaster assistance actually negates the intent of the Agriculture Committee to make crop insurance a viable risk management tool for American farmers. I am concerned about the message we send to agricultural producers, and I hope this is an issue the committee may address in the coming months.

Finally, the legislation continues the payment limitations that were included in previous disaster bills.

Mr. Speaker, although the administration opposes this bill, I urge adoption of H.R. 2893.

Mr. DE LA GARZA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Speaker, I hope that the Members will support this legislation. The 1990 act authorized such appropriation. We have gotten no money. We do not know what happened in 1991; but at least this sends a message to our farmers.

Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. PANETTA].

Mr. PANETTA. Mr. Speaker, I rise today to express my strong support of this bill to direct the Secretary of Agriculture to provide disaster assistance to producers of 1991 crops on the same terms and conditions as provided for 1990 crops under the 1990 farm bill. I want to take this opportunity to thank Chairman DE LA GARZA for his leadership in the efforts to promptly address the devastating impact of disasters on our agriculture industry.

As you know, California has suffered particularly harshly because of the freeze, and more recently, with a drought that has been ongoing for several years. With the passage of this legislation, we will be able to effectively assist farms and farmworkers. I was pleased that several provisions of my legislation, H.R. 1550, the Agriculture Disaster Assistance Act, were incorporated as part of this committee bill, in addition to an amendment that was accepted during the full committee markup.

The basics of my Agriculture Disaster Assistance Act were designed to address the very unique needs of California farmers. A number of areas were covered including crop insurance, emergency loans, and water development projects. Those provisions of my bill ultimately accepted in this committee bill include expanding a direct-payment program for orchard growers to include the cost of tree rehabilitation and restoration. If trees cannot be rehabilitated, it often means the orchardists must start their groves from scratch which has bankrupted many farmers in previous disasters. Also, Valencia crops were damaged primarily in the 1990 freeze but would normally be harvested in the summer of 1991. Valencia orange crop growers will now be eligible for assistance for the damage they incurred because of the freeze.

Of important note is the expansion of the emergency grant program for migrant workers to include permanent farmworkers as well as packinghouse workers. This provision helps to ensure that the Government takes into account the needs of those who have a harder

time securing their livelihood outside of farm-related labor.

In addition, the committee adopted report language I authored regarding Farmers Home Administration to look specifically at the needs of California. Currently, Farmers' Home Administration rules prevent most California farmers from receiving assistance. All of this assistance for farmers and farmworkers is so critical for my district as most of them do not benefit from Federal price supports and subsidies.

Mr. Speaker, I urge my colleagues to support this much needed legislation which takes into account all regional differences in trying to best help our farmers and workers. I believe that this legislation does reflect the individual needs and concerns of the States and is an important step in expediting the dire help necessary.

Mr. DE LA GARZA. Mr. Chairman, I yield such time as he may consume to the gentleman from Arkansas [Mr. ALEXANDER].

Mr. ALEXANDER. Mr. Speaker, I rise in support of this legislation, which is gravely needed.

Heavy rains in Arkansas did serious damage to our wheat crop, with losses estimated at about $140 million. Farmers not only harvested less wheat than normal, but much of what was harvested was of poor quality and did not bring good prices.

One farmer near Hughes, AR, recently told me that his wheat crop was short by about two-thirds. This presents a significant problem for farmers since they use the money from the wheat crop to operate until they harvest their other commodities in the fall, without that money, they are in a real bind.

This situation is so serious that it threatens the ability of some farmers to continue operating.

I believe that the threat by the Bush administration to veto funds for disaster relief is ill advised and shows a lack of understanding as to the seriousness of the problem.

We will continue to work on a solution to this problem, but our job would be made much easier if the administration did not throw roadblocks in the way.

Mr. FAZIO. Mr. Speaker, I rise in strong support of H.R. 2893, the Agriculture Disaster Assistance Act of 1991.

This is an important bill. It's the first step to getting some very concrete assistance to the tens of thousands of farmers across the country that have suffered severe weather-related crop losses in 1990 and 1991.

And, I'd like to point out, Mr. Speaker, that this bill has been brought before this body without any leadership from the President. The President continues to turn his gaze toward the problems on distant shores, rather than focusing on those who are suffering here at home, those who need the aid of this Government to enable them to once again contribute to the economic strength of this Nation.

To date, the President has asked Congress for an additional $1.14 billion to respond to international emergencies, and he has said that every dime of that is for "emergency requirements" and therefore exempt from the discretionary spending limits set in the budget summit agreement.

The President has also asked Congress to exempt an additional $43.9 billion for Desert Storm under this procedure.

For domestic emergencies, the President has sought a mere $39 million in supplemental funding under the emergency requirements procedure. That's less than 3-percent of what the administration has sought for international emergencies.

The President has turned a deaf ear to the pleas for assistance from growers and farmworkers alike. And, in my own State of California, which was hit by a recordkeeping freeze last December—the third worst natural disaster in our State's history—that decision has meant that an estimated 70,000 agricultural workers and their families are still in danger of going hungry each day because there is no work in the fields.

For California, this bill promises help to some 4,500 citrus growers so they can get back on their feet and, in turn, reemploy tens of thousands of farm workers in the San Joaquin Valley.

The bill also authorizes emergency assistance to low-income farmworkers in California and other States who are out of work due to the freeze or other natural disasters.

Mr. Speaker, this is a sound bill, and I urge its adoption.

Mr. CONDIT. Mr. Speaker, I rise today in strong support of H.R. 2893, the Agricultural Disaster Assistance Act. This bill will extend disaster assistance to farmers who experienced disasters in 1990 or 1991 crop years. To farmers and farmworkers in California this bill represents a major step toward some relief for losses experienced in back to back disaster.

California is experiencing a fifth year of drought this year. In response to the massive shortage of water throughout the State, water deliveries have been cut from 25 percent to 100 percent in the State and Federal water projects. These cutbacks have resulted in many farmers not planting crops this year and using their small allocations to keep their orchards alive.

To compound the hardships caused by the drought, California was hit with a devastating freeze in December 1990. This freeze damaged orange, lemon, artichoke, strawberry, and avocado crops. Obviously, the farmers who grow these crops experienced losses because of the freeze. In addition, the large farmworker population in the San Joaquin Valley has suffered very significant economic devastation.

While many farmers and farmworkers believed that they would be able to get some assistance from the Federal Government to get them through a difficult time, the reality has been that very few, if any, farmers or farmworkers have qualified for or received assistance. The bill that we are considering today, while only providing for the authorization for disaster assistance, does make some minor changes in the disaster authorization that was included in the 1990 farm bill that will make limited assistance available.

What the farmers and farmworkers of the San Joaquin Valley really need is for Congress to pass an appropriations measure to fund the disaster programs that are already authorized. The House Appropriations Committee has taken the first step in addressing this need, but this action is now stalled. We have appropriated over $50 billion this year for emergency purposes including Operation Desert Storm/Shield, relief for the Kurds, forgiveness of debt to Egypt and other international needs. Less than $50 million has been appropriated for domestic needs.

While I recognize the need for funding for the crisis in the Middle East, I find incomprehensible that the administration has granted an emergency designation for other purposes, but refuses to provide a small amount of assistance to U.S. citizens who are facing a true crisis. The House Agriculture Committee held hearings earlier this year where the mayor of a small town in the San Joaquin Valley testified that the citizens of his community did not have enough food to eat, could not pay for medical care, and could not pay their rents or mortgages because of a lack of work caused by the freeze.

Mr. Speaker, I recognize that our Nation is facing a budget crisis that demands strict restraints on spending. I support stricter restraints on spending than many others. However, I believe that this is a question of equity. Citizens of our own country need assistance to get them through a bad time. It is disgraceful that the administration cannot make this funding available. I commend Chairman DE LA GARZA for acting on this important legislation. I also commend Chairman WHITTEN for taking action to address these needs.

I urge my colleagues to support this measure and the funding measure that is needed to accompany this bill.

Mr. KANJORSKI. Mr. Speaker, I rise in strong support of this legislation. This bill is necessary if we are going to pursue one of the foremost goals of our Nation—to help our citizens in times of dire need.

This bill will extend the Agriculture Disaster Assistance Program to cover 1991 crop losses. By approving this legislation, we are giving both relief and hope to farmers from every corner of this country—from California to Pennsylvania, from Minnesota to Texas.

The farmers who will benefit from this bill are those who, due to conditions beyond their control, have been unable to plant or harvest their crops in 1990 or 1991. These people are victims, and this bill will enable them to weather the conditions that have threatened to ruin their livelihood.

This bill has a special meaning for me and the people of my district. As many of my colleagues know, Pennsylvania has been stricken this year with a disastrous drought.

Two of the counties in my district—Sullivan and Montour—will together sustain an estimated crop loss of almost $6 million. This amount is devastating, considering the combined population of these counties is less than 24,000 people.

Many of the farmers who are affected by the drought, and who would benefit from this bill, are not millionaires who can afford to miss the proceeds brought in one season's harvest. These are people who work day in and day out, at one of the most noble and necessary professions, usually just to make ends meet.

These are people who not only need, but deserve our help.

H.R. 2893 extends a program that has proven to be of vital assistance to those who need

it the most. Thus I urge my colleagues to support this legislation.

Mr. WEBER, Mr. Speaker, I rise in strong support of H.R. 2893, legislation which authorizes disaster assistance to farmers. I want to commend the chairman of the Agriculture Committee, Mr. KIKA DE LA GARZA, for recognizing the need to compensate farmers for the financial losses suffered due to a host of weather problems around the country.

In Minnesota alone, Mr. Speaker, 18 counties have been declared disaster areas with an additional 22 contiguous counties qualifying for assistance due to unprecedented rainfall. It is estimated that 15,000 acres in Minnesota may lie idle this year, since farmers were unable to plant a crop. Furthermore, Minnesota farmers that were able to plant a crop now find their fields under water. Without this legislation, Mr. Chairman, many farmers will find themselves on the brink of financial disaster.

This legislation, Mr. Speaker, authorizes disaster payments to producers of program and nonprogram crops who suffered production losses due to damaging weather or related conditions in 1990 or 1991. The bill also mandates payments in reductions in crop quality. It is a fair and equitable program which seeks to assist farmers through this difficult time.

I must remind my colleagues that this is only the first step in this important process. Congress will need to pass an appropriations bill to fund this disaster relief program. Two weeks ago the Subcommittee on Agriculture Appropriations, of which I am a member, reported out a bill which would provide $1.75 billion in disaster relief. I want to thank the chairman of the subcommittee, Mr. WHITTEN, for his work on this matter. It is my hope that the administration will realize the magnitude of the disaster and work with our committee in an effort to develop a bill which the President will sign.

Mr. BROWN. Mr. Speaker, the bill before us this afternoon, H.R. 2893—the Agriculture Disaster Assistance Act of 1991—is, like so many items that the House of Representatives considers, better late than never. Although we may be sweltering under a massive heat wave, let us not forget the December 1990 freeze that crippled the agriculture industry in the State of California.

Two weeks of subfreezing temperatures wrought havoc on the agriculture industry, ruining the year's crops for thousands of farmers, snapping citrus trees, closing packing plants, and forcing thousands of families into unemployment. This disaster, one of the worst natural calamities ever visited on the State of California, is far from over. The assistance the Federal Government provides in this bill will help ease the burden placed on too many farmers.

With so many current problems to face, it is all too easy to forget about the recent past. We tend to have short memories—moving from one tragic episode to the next.

Unfortunately, I suspect that had the 1990 California freeze interrupted the playing of a World Series game or the Superbowl, Congress would have focused its attention on the problem long before these sizzling days of July. If the damage done to California agriculture had occurred in a 3-hour time span, I am sure Congress would have moved quickly to assist those in need.

Unfortunately—for the workers, families and businesses of California—the freeze was an extended disaster. It did not happen overnight. It happened over a period of several days and nights. During that time, the heightened tensions in the Persian Gulf, Operation Desert Storm, and our mounting economic problems, left us little time to concentrate on addressing the very real problems that thousands of Californians were facing. Again, this bill may be late, but I can assure you that the needs of the people in my home State are indeed very real.

As all of us know well, the tight budget conditions that this Congress and this Nation face make it increasingly difficult to offer disaster assistance. But I also know, just as you do, that we cannot turn our backs on the people in our country, who, through no fault of their own, are forced to turn to public assistance. Californians have banded together in support these past few months to help each other make it through these difficult times. But private assistance is wearing thin and now is not the time for the Federal Government to forget the natural disaster that struck our farm communities during those cold days in December.

I applaud the work of the Agriculture Committee in fashioning a modest proposal to help the communities throughout this Nation which have been struck by natural disasters. The assistance we provide through this bill is greatly needed, make no mistake about that fact, and I urge you to join with me in supporting the Agriculture Disaster Assistance Act of 1991.

Mr. LEHMAN of California. Mr. Speaker, I rise today in support of legislation which will bring much needed relief to farmers and farmworkers alike in California. My State has been hard hit by a painful, 5-year drought as well as a devastating freeze last winter. The combination of these disasters has left both growers and workers without much needed income and little assistance has been provided to help remedy the problem.

In the meantime, damage to California farmers has been estimated at more than $900 million. The December 1990 freeze devastated almost all of the 1990 citrus crop, damaged several other crops in the Central Valley and accelerated unemployment to 50 percent in some areas. Because farming is a seasonal industry, with different crops ready for harvest at different times, the damage to a variety of crops has long-term effects. This is especially true for workers who are dependent on this cycle for year-round employment. In addition, industries related to the farm community such as packing sheds have also been severely affected.

Fortunately, the Congress is responding by authorizing an extension of 1990 agriculture disaster assistance provided for in last year's farm bill to crop losses incurred in 1991. For my district, where several counties have been declared disaster areas, producers will receive disaster payments aimed at helping them recover from their losses. This disaster assistance bill also authorizes assistance, in the form of cash payments or replacement seedlings, to orchardists and tree farmers who lose more than 35 percent of their trees due to damaging weather.

Assistance for farmworkers is also provided in the form of grants to public agencies and nonprofits that provide emergency services to low-income migrant and seasonal farmworkers. Because many are ineligible for unemployment benefits, this type of temporary aid is vital. This aid also extends to permanent farmworkers and packinghouse workers who meet the income eligibility standards.

Of course, the next key step is to come up with the necessary funding. The emergency supplemental appropriations measure being considered by the House Appropriations Committee will include $1.75 billion to fund agricultural disaster assistance, approximately $435 million of which will go to California farmers. I understand this bill is under a veto threat by the President. Regrettably, while the administration is on record as strongly supporting emergency assistance abroad in recent months, it does not see the need for the same compassionate relief at home.

I am confident that the administration's objections can be overcome and that this measure will be enacted into law with the greatest urgency. I urge my colleagues to support both the authorization and appropriations measures which will bring aid to hard-hit disaster areas both in my area and around the country.

Mr. CAMPBELL of Colorado. Mr. Speaker, I rise today to express my strong support for the chairman's disaster assistance legislation.

Farmers in my district have suffered significant losses from Colorado's notoriously severe weather. Mesa County, located on the Colorado/Utah border, faces the possibility of losing $15 million in economic benefits stemming from a late April freeze that devastated many of the fruit orchards in the valleys surrounding Grand Junction.

The USDA, in its preliminary report, has estimated apple and pear growers suffered damages as high as 40 percent of their crops, while many of the apricot, peach, and cherry growers lost 100 percent of their fruit.

These growers are being particularly hard hit because, after having their crops destroyed, they now realize funds are not available for disaster assistance payments, a program they have relied on in the past to help through these tough times.

Growers in my district have repeatedly told me they are enthusiastic about the crop insurance program but have thus far found it unworkable. Under the current crop insurance program, the price paid per bushel for Colorado peaches does not come anywhere near the average price paid for the State's peaches on the wholesale market. The amount of paperwork and technicalities involved in the program also prevent many growers from participating in the program. These shortcomings need to be addressed before growers can realistically be expected to rely on the crop insurance program.

I am pleased that Congress has begun to address this very crucial issue. I sincerely believe that the future of the U.S. agricultural industry is at stake. Our commitment to helping our agriculture producers can be clearly demonstrated by supporting H.R. 2893.

Mr. HUCKABY. Mr. Speaker, there have been some very adverse weather conditions throughout the country this year and these weather problems have caused some very serious difficulties for agriculture. We have endured record flooding in the Mississippi Delta

area, record drought in California, as well as extensive disasters in other areas of the country. In fact, in my State of Louisiana alone, it is estimated that there is approximately $178 million in crop damages and many millions more in lost farm labor wages and lost processing revenues.

There are minor provisions in existing law intended to provide some relief from the effects of inclement weather conditions and the Secretary of Agriculture and his staff have worked to help relieve some of the hardship. However, this has not been sufficient and we do need additional assistance.

Today, we bring a bill to the floor, H.R. 2893, to provide disaster assistance in the form of direct payments to eligible producers of all 1990 and 1991 crops who have experienced a disaster due to damaging weather or related condition. I think it is imperative that we provide assistance to those who have suffered great losses due to conditions beyond their control.

In addition, Mr. Speaker, I believe that we must make it a priority to take care of those here at home first before we give to those in need overseas. Of the funds that the administration has requested this year under the heading of "emergency spending", more has gone overseas than has stayed within our own borders. We have spent roughly $39 billion here at home and roughly $41 billion overseas.

Let me say that I do not object to offering assistance to other countries, I simply believe that we have a dire emergency here at home in rural America and we must quickly provide this assistance to those farm families throughout the country that have been adversely affected by devastating drought, flood, freeze, and other damaging weather.

Mr. EWING. Mr. Speaker, I rise in support of H.R. 2893, agriculture disaster assistance authorization. I return this morning from Illinois where I spent a good portion of the weekend talking with small farmers who are suffering the devastating effects of drought.

Farmers in different parts of America are hard hit with drought. One need look no further than the front page of this morning's Washington Times to see how drought is hurting farmers in the Washington, DC area. In parts of Illinois, farmers report that they've had no rain since June 1. With no weather relief in sight, farmers are facing a crisis of calamitous proportions.

This emergency comes on the heels of devastating droughts in 1983 and 1988, which thousands of farmers are still reeling from. The new drought will hurt the most those farmers who are less established and able to survive. We could lose a whole generation of young farmers because of serious drought conditions over the past decade, then who will operate the farms that feed the Nation and the world?

Without this legislation, many farmers will be driven out of business and our economy will suffer. Many American farmers are facing disaster, and this legislation is desperately needed.

I strongly support H.R. 2893 and urge my colleagues to vote in favor of this important legislation.

Mr. HERGER. Mr. Speaker, I rise in strong support of this legislation. One thing is clear—our rural communities in northern California are currently experiencing two particularly devastating natural disasters simultaneously. First, our farmers are suffering through a fifth consecutive year of drought. Second, the destruction to agricultural production from the freeze of late 1990 is estimated to be the third largest natural disaster in the history of California, after the earthquakes of 1906 and 1989. Statewide, it is estimated that damage to citrus crops alone will reach $500 million. We must act now in addressing these needs.

A large number of growers in northern California have had their Federal water supplies reduced by 75 percent in 1991. This is on top of reductions of 50 percent in 1990. A good illustration of what the drought means to people in rural areas is provided by the case of Colusa County, CA, in my district. This small, rural county, which is heavily dependent on agriculture, led all California counties with a March unemployment rate of 25.6 percent. This unusually high level of unemployment is attributed to the drought and the recession.

Our budgetary constraints are great, and certainly our top priority must be to put our fiscal house in order. It should be noted that it may indeed be more fiscally responsible to provide effective, efficient disaster assistance to growers than relying on increased outlays for Federal unemployment, food stamps, and other benefits.

I urge my colleagues to support this legislation today.

Mr. WEBER. Mr. Speaker, I rise in strong support of H.R. 2893, legislation which authorizes disaster assistance to farmers. I want to commend the chairman of the Agriculture Committee, Mr. KIKA DE LA GARZA, for recognizing the need to compensate farmers for the financial losses suffered due to a host of weather problems around the country.

In Minnesota alone, Mr. Speaker, 18 counties have been declared disaster areas with an additional 22 contiguous counties qualifying for assistance due to unprecedented rainfall. It is estimated that 15,000 acres in Minnesota may lie idle this year, since farmers were unable to plant a crop. Furthermore, Minnesota farmers that were able to plant a crop now find their fields under water. Without this legislation, Mr. Chairman, many farmers will find themselves on the brink of financial disaster.

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I must remind my colleagues that this is only the first step in this important process. Congress will need to pass an appropriations bill to fund this disaster relief program. Two weeks ago the subcommittee on agriculture appropriations, of which I am a member, reported out a bill which would provide $1.75 billion in disaster relief. I want to thank the chairman of the subcommittee, Mr. WHITTEN, for his work on this matter. It is my hope that the administration will realize the magnitude of the disaster and work with our committee in an effort to develop a bill which the President will sign.

Mr. COLEMAN of Missouri. Mr. Speaker, I yield back the balance of my time.

Mr. DE LA GARZA. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas [Mr. DE LA GARZA] that the House suspend the rules and pass the bill, H.R. 2893, as amended.

The question was taken.

Mr. WALKER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

Mr. WALKER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 5, rule I, and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

GENERAL LEAVE

Mr. DE LA GARZA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks, and include therein extraneous material on H.R. 2893, the bill just considered.

The SPEAKER pro tempore (Mr. MCNULTY). Is there objection to the request of the gentleman from Texas?

There was no objection.

REPORT ON RESOLUTION WAIVING CERTAIN POINTS OF ORDER AGAINST CONSIDERATION OF H.R. 2942, DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT, 1992

Mr. MOAKLEY, from the Committee on Rules, submitted a privileged report (Rept. No. 102–159) on the resolution (H. Res. 200) waiving certain points of order during consideration of the bill (H.R. 2942) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1992, and for other purposes, which was referred to the House Calendar and order to be printed.

RESEARCH NEEDED ON ADOLESCENT BEHAVIOR

(Mr. MCDERMOTT asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. MCDERMOTT. Mr. Speaker, recently the administration decided to just say no to a proposed study of adolescent sexual behavior. This study is badly needed.

Adolescents today face increasingly serious health hazards. Teenage pregnancy, which had begun to decline in the 1980's, is on the rise. Young women are especially vulnerable to sexual assault and abuse. We are seeing a dramatic increase in the spread of sexually transmitted diseases—especially among adolescents. And teenagers are not immune to AIDS—according to one report, more than 20 percent of all AIDS patients may have become infected in their teens.

Adolescents need candid information and education to make informed decisions about their sexual behavior. Health professionals need accurate information to determine the education and prevention efforts that are most needed and most likely to be effective with teenagers.

No one wants to promote sexual activity among teenagers. But we cannot deny that it already is happening. A recent survey indicated that 84 percent of respondents said it is appropriate to talk to children about sexually transmitted diseases; 78 percent said they wanted more information on AIDS prevention for their children. These parents know that children are at risk and need help. In the era of AIDS, when people's behavior can prove fatal, we must understand what behaviors they are engaging in and why.

Ignorance and denial about our teenagers' sexual behavior will cost lives. This is no time to put ideology above public health. I urge the administration to reconsider its decision and promote research that provides honest answers for our children. I also want to share with my colleagues an editorial in today's New York Times that succinctly discusses this issue.

(The article is as follows:)

[From the New York Times, July 23, 1991]

SILENCING TEENS ABOUT SEX

The United States is a country that's still shy about talking about sex. But it is also a country in which 15-year-old mothers are common, and thousands of young men are dying of a sexually transmitted disease contracted in their teens.

A five-year nationwide study to determine the causes of behavior in adolescents that puts them at risk of unwanted pregnancy and AIDS sounds—quite literally—like a lifesaver. But not to Gary Bauer, president of the Family Research Council who says it's an "invasion of privacy." Nor to Representative William Dannemeyer, who calls its $18 million price tag "wasteful government spending." And not, perhaps, to the Secretary of Health and Human Services, Dr. Louis W. Sullivan, who has suddenly blocked its funding.

It's easy to see why the questions might rile some conservative and "family values" groups. Several questions about practices like oral and anal sex that some people consider unmentionable. But the privacy of participants in the study, to be conducted by researchers at the University of North Carolina, will be protected. The youngsters would need their parents' informed permission before taking part, and wouldn't have to answer questions they didn't want to. As for that $18 million, it's tiny compared with the financial consequences of teen-age pregnancy.

The Public Health Service laudably seeks a reduction in the rate of unwanted pregnancies and a rise in the age of first intercourse by the year 2000. (At present 27 percent of American girls and 33 percent of American boys are sexually active by 15.) But that goal won't be reached without the kind of information the North Carolina study can provide. Dr. Sullvian says he wants to become more familiar with the study. His department's efforts to understand teen-age sexuality deserve the same staunch support he has given the campaign to reduce tobacco and alcohol abuse.

□ 1740

ORDER OF BUSINESS

Mr. PEASE. Mr. Speaker, I ask unanimous consent to allow the majority leader, the gentleman from Missouri [Mr. GEPHARDT] to precede me with his 5-minute special order.

The SPEAKER pro tempore. (Mr. GEREN of Texas). Is there objection to the request of the gentleman from Ohio?

There was no objection.

REWARDS FOR RESULTS ACT OF 1991

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri [Mr. GEPHARDT] is recognized for 5 minutes.

Mr. GEPHARDT. Mr. Speaker, as I rise to introduce new legislation to refashion the way we encourage learning and fund schools, I remind my colleagues of the historic commitment to education that is the hallmark of the Democratic Party.

Nearly half a century ago, at the height of World War II, President Franklin Roosevelt convened a White House Conference on Children.

Even though he was prosecuting a world war in two theaters on opposite sides of the globe, and even though we were only beginning to emerge from the Great Depression, FDR knew that if we lose our children, we lose our all. He said:

It will be very bad economy to save money at the cost of the minds and the bodies of the children of this country. We cannot afford to let things rest as they are.

These courageous and visionary words are just as true today as they were almost 50 years ago. Today we truly cannot "afford to let things rest as they are."

That the minds and bodies of our young people are at risk is by now a truism. But the facts underpinning this truth shock us still:

One third of American babies borne by women who have not received adequate prenatal care; 7 million children who do not receive routine health care; only 14 percent of American eighth graders with an average proficiency in junior high school math; between 25 and 50 percent of our high school students dropping out of school; nearly 2 million young people leaving school each year deficient in basic and marketable skills; and employers spending more than $200 billion each year on training for their employees.

I could go on. And on.

It has become too easy simply to talk about problems; today, I want to talk about solutions.

My legislation provides solutions to the problems that shackle the minds and bodies of our children and threaten the future of our country.

I call it the Rewards for Results Act of 1991—a bill that provides Federal payments for actual improvements in the health and educational status of our children.

Simply put, no American taxpayer will spend a single dollar under this plan unless there is a measurable improvement in the educational and health status of the children it is designed to help.

The Rewards for Results Act of 1991 takes two of the national education goals, readiness to start school and excellence in student performance, specifies measurable criteria for achieving the goals, and pays the States and the schools for meeting those criteria.

It does not tell the States or the schools how to meet the criteria.

It does not design programs intended to meet the criteria, nor does it pay others for good intentions.

Rather, it specifies results and pays for them once they are achieved.

Every child registering for first grade having had health care, proper nutrition, and early childhood education will earn a reward of greater resources for his or her State.

Every high school senior who matches or beats the average math and science scores of the highest scoring nation on an international test will earn a reward for his or her school and school district—and a scholarship for postsecondary education or training.

These Federal rewards will provide incentives to States, schools, parents, and students to get the job done. The payments are adjusted to provide greater rewards for those who produce results starting from a disadvantage.

There will be no competition between States or schools.

All those who improve their own performance in achieving the specified results will earn their reward.

This system of incentives will supplement, not supplant, current Federal, State, and local efforts.

It will encourage those responsible for the health and education of our children to use all their resources efficiently and effectively, while increasing those resources when the necessary results are achieved.

The Rewards for Results Act of 1991 is a new kind of Federal commitment

to American children, a commitment based on performance and contingent upon results. It will cost money—in the short term.

But children who are ready to learn when they start school, and young people who graduate from high school with math and science skills second to none in the world and then go on to post-secondary training or education are worth paying for.

And they will pay us back many times over—with gains in productivity, health status, citizen confidence in our education system, and national pride.

Confronted as we are with the stiffest competition in the world market that we have ever known, we cannot afford not to make this investment in the health and education of our children.

We must commit ourselves to this approach, and to other ideas, to fulfill the American dream, enabling all Americans to develop to their full potential, earn a good living, and provide for their children the opportunity to do even better.

We must do these things because America, to become a high wage economy, must become a high performance economy.

That will require additional investments in the skills of our people, in the areas of high school and postsecondary academic performance, school-to-work transition, worker training, and high performance workplaces.

And I will be introducing legislation in this area, as well, this coming September, because this cause must be America's cause as we head into the next century.

As I began these remarks by quoting Franklin Roosevelt, let me close by making reference to the founder of my political party, Thomas Jefferson, and by making an observation that has been made by others before me.

Jefferson had a number of outstanding careers—a genius who invented things besides a revolution; a Vice President and President who literally shaped the country's geographic and economic future. But in designing the tombstone beneath which he was laid to rest, he asked people to remember most his defense of liberty and commitment to education. He wrote:

> Here was buried Thomas Jefferson, author of the Declaration of Independence and of the Statute of Virginia for Religious Freedom and father of the University of Virginia.

Like Jefferson before us, America must focus its creative energies on enlarging the educational achievement of our people.

It is the greatest opportunity they will have for realizing the destiny of their lives; it is essential for keeping this Nation as strong and as good as Jefferson meant it to be.

□ 1750

GENERAL LEAVE

Mr. PEASE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the subject of my special order today.

The SPEAKER pro tempore (Mr. GEREN of Texas). Is there objection to the request of the gentleman from Ohio?

There was no objection.

UPDATE ON UNITED STATES-MEXICO FREE TRADE AGREEMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. PEASE] is recognized for 5 minutes.

Mr. PEASE. Mr. Speaker, the Mexican Government reportedly spent $100 million this spring for lobbyists in Washington, DC, to present Mexico's best face to the United States Congress. Nevertheless, President Bush had to pull out all of the stops, culminating with the issuance of a carefully polished action plan, just in order to win narrow approval to negotiate a proposed North American Free-Trade Agreement [NAFTA] on a fast-track basis.

Hyperbole became the norm too often in the weeks leading up to the fast-track vote 2 months ago. But it is not too late to get the facts for our Federal Government to deal with the trade and investment distortions certain to flow from any NAFTA because of vastly different labor and environmental standards and enforcement regimes in Mexico in contrast with the United States. Let me illustrate my point.

To date, when I asked President Bush and United States Trade Representative Carla Hills about respect for basic labor rights such as freedom of association in Mexico, I heard a standard refrain. They are quick to point out that a much higher percentage of the Mexican workforce belongs to unions than do American workers. They are quick to assert that the Mexican Constitution and Mexican labor laws are stronger than our own. They even went so far as to circulate to every member of the Congress a 15½-page document to convince us that Mexico "has strong labor protections which are integral to its Constitution and laws."

But what you see is not what you get when it comes to Mexican labor laws. Whether Mexico has an exemplary labor code on the law books is not what matters in relation to the NAFTA or othewise. In practice, the Mexican Government has dominated and effectively controlled attempts to organize Mexican workers into independent trade unions throughout much of the 20th century. More importantly, the Bush administration will find that cynical efforts to manipulate Mexican workers continue as I speak if they care enough to scratch beneath the legal sophistry.

Last May 15, three trade unionists, supported by the Minnesota Fair Trade Coalition, the International Labor Rights Education and Research Fund, and Minnesota Attorney General Hubert Humphrey III, filed a 39-page GSP petiton with the United States Trade Representative, pursuant to existing United States trade law, urging that Mexican imports be denied duty-free access to the United States market because of the systematic denial of fundamental worker rights in Mexico.

The U.S. Trade Representative has not yet decided whether to accept this petition for review, even though she is already a week beyond her own self-imposed deadline for announcing those decisions. I urge the Bush administration to take up the Mexico GSP petition and to investigate all of the allegations therein thoroughly and fairly. It paints a very disturbing picture of widespread, systemic labor repression throughout Mexico.

PETITION TO REVIEW THE ELIGIBILITY OF MEXICO AS A BENEFICIARY DEVELOPING COUNTRY UNDER THE GENERALIZED SYSTEM OF PREFERENCES

[Submitted to the Trade Policy Staff Committee by William McGaughey Jr., Thomas J. Laney, and Jose L. Quintana, May 15, 1991]

I. INTRODUCTION

Mexico is currently designated as a Beneficiary Developing Country under the Generalized System of Preferences (GSP) program. We, the undersigned, hereby request that Mexico's eligibility status as a beneficiary under this program be reviewed. We further request that Mexico's designation as a beneficiary developing country be revoked if the review confirms violations of GSP eligibility criteria. We make this request because Mexico has consistently violated internationally recognized worker rights. The respect of such rights is a criterion of eligibility for status as a beneficiary developing country under the GSP program.

II. LEGAL BASIS FOR REVIEW AND REVOCATION OF ELIGIBILITY STATUS

This petition is being submitted to the Trade Policy Staff Committee for review by William McGaughey Jr., Thomas Laney, and Jose Quintana, whose addresses appear as follows:

William McGaughey, Jr., 1618 Glenwood Ave. #11, Minneapolis, MN 55405; Thomas Laney, 59 Battle Creek Pl., St. Paul, MN 55119; Joes Quintana, 1425 Terrace Dr. #5C, Roseville, MN 55113.

The petition is supported by the Minnesota Fair Trade Coalition (821 Raymond Ave., #160, St. Paul, MN 55114), by the International Labor Rights Education and Research Fund (100 Maryland Ave., N.E., Washington, DC 20002), and by Hubert Humphrey III, Attorney General, State of Minnesota (State Capitol, St. Paul, MN 55155).

The Republic of Mexico is the beneficiary developing country subject to this GSP annual review.

The petitioners request a review of Mexico's GSP status with respect to the designation criteria listed in Section 502(b) of the Trade Act of 1974 as amended. According to the statute, the President shall not designate any country a beneficiary developing

country under the GSP trade law "if such country had not taken or is not taking steps to afford internationally recognized worker rights to workers in the country." 19 U.S.C. 2462(b)(7).

The term "internationally recognized worker rights" is defined as follows:

"(a) the right of association;

(b) the right to organize and bargain collectively;

(c) a prohibition on the use of any form of forced or compulsory labor;

(d) a minimum age for the employment of children; and

(e) acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health." 19 U.S.C. Section 2462(a)(4)

The Republic of Mexico has repeatedly and consistently violated several types of worker rights as defined by U.S. trade laws. Therefore, Mexico should be ineligible to be designated by the President as a beneficiary developing country under the GSP program. We respectfully request that the Trade Policy Staff Committee review Mexico's eligibility status to the end that it recommend to the President termination of GSP benefits if significant violations of worker rights are found in that country.

III. EVIDENCE OF WORKER-RIGHTS VIOLATIONS

(A) Types of violations

The government of the Republic of Mexico has engaged in certain activities which effectively prevent Mexico workers from exercising their "right of association" and "right to organize and bargain collectively." In addition, this government has effectively condoned violations regarding "a minimum age for the employment of children" and "acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health."

The "right of association" and "right to organize and bargain collectively" refer to the right of Mexican workers to form free associations of workers for the purpose of bargaining collectively with employers. An essential element in the right of association is that the associations be truly representative of the workers which they comprise. Specifically, these associations should be democratically elected. As trade unions, they should conduct honest elections of officers and negotiate with employers on the basis of demands brought forth on behalf of the workers through their duly elected union representatives. Union policy should also be free of coercion from the government or other outside groups except within the context of law.

In theory, Mexican workers enjoy good constitutional and legal protections regarding their right of free association and power to bargain collectively. Article 123 of the Mexican Constitution gave workers the right to organize labor unions and the right to strike, and implied their right to bargain collectively for labor contracts. In addition, Article 123 of the Constitution provided for minimum labor standards as regards a minimum wage, overtime pay, daily work hours, profit sharing, protection of child and women workers, night work, forms of payment, and health and safety standards. Article 123 established a Federal Board of Conciliation and Arbitration, made up of management, labor, and government representatives, which had the power to resolve industrial disputes. Subsequent laws or court rulings made in 1924, 1927, 1929, 1931, and 1970 have tended to dilute these constitutional protections given to Mexican workers. In addition, Mexico signed Convention 87 of the International Labor Organization in 1950, which guaranteed workers the right of free association and trade-union activity.

Despite these legal protections, the government of the Republic of Mexico and trade-union organizations controlled by this government have engaged in certain practices which tend to negate workers' legally protected rights with respect to free association and collective bargaining. In the discussion which follows, we will identify specific techniques that have been used in Mexico to deny internationally recognized worker rights in practice.[1]

(B) Government influence upon Mexico's official trade unions

Most of Mexico's union workers are affiliated with government-controlled labor organizations under the umbrella of the "Congress of Labor" (Congreso de Trabajo) which is, in turn, associated with Mexico's ruling party, PRI. This structure was created when President Lazaro Cardenas of Mexico reorganized the ruling party in 1938 and merged the trade-union organizations which had supported him into what LaBotz calls the "'labor sector' of the ruling party." The Congress of Labor is comprised of several major labor federations, the most important of which is called the Confederation of Mexican Workers or "Confederacion de Trabajadores Mexicanos" (CTM). The general secretary of CTM is a 91-year-old man named Fidel Velazquez, who has been in this position since 1940. CTM is not a democratically elected union. Its sympathies often lie more with management than with the workers whom it nominally represents. This "trade-union" organization has, in fact, been controlled by the Mexican government. Since the Mexican government has historically been Mexico's principal employer and more recently has become closely allied with foreign corporations investing in Mexico, the interests of CTM, the government-controlled union, have been antithetical to those of the represented workers. Consequently, membership in CTM does not reflect Mexican workers' right of free association.[2]

As evidence of these assertions, we cite an article which appeared in the Wall Street Journal on February 12, 1991 on page 8a regarding the practices of Fidel Velazquez and CTM. With considerable understatement, the article declared: "Mr. Velazquez has always displayed at least as much sympathy for the government as for the rank and file. But during Mexico's debt crisis, he has looked the other way while workers endured hardship unmatched since the Great Depression. The number of strikes has dwindled as a result of government intimidation tactics, including the use of the army against recalcitrant unions." Elsewhere, the Wall Street Journal article called CTM a "government-loyal labor umbrella group", admitting that "businesses often benefit from repression, corruption, and lax work standards" linked to this labor group. Implying government approval of such tactics, Mexico's President Salinas himself was quoted in the article to the effect that "he (Fidel Velazquez) plays a very important role in the process of economic stabilization." In short, CTM, Mr. Velazquez's organization, functions more as a branch of the Mexican government to ensure labor peace through various strong-armed tactics than it does as an authentic trade union representing workers' interests. Indeed, CTM has been known to employ armed thugs who use violence against uncooperative groups of workers aspiring to elect their own union leaders.

C. Specific techniques used in Mexico to violate workers' rights of association, organization, and collective bargaining

The second chapter in Daniel LaBotz's book identifies the various ways that the Mexican government has consistently thwarted workers' rights to associate in democratically elected unions and to bargain collectively against employers. They may be summarized as follows:

(1) Denial of Legal Registration (El Registro).—The Federal Labor Law of 1931 required unions to register with the government in order to be legally recognized. It set certain requirements for registration, and gave the authorities the power to decide whether those requirements were met. Over the years, this provision has been converted into a requirement that the Mexican government give its approval to the formation of unions or to changes in union leadership. Practically speaking, this provision has posed a serious obstacle to democratically elected unions or union leadership seeking to replace the official unions affiliated with CTM or similar organizations. If a union is not registered with the government, then it cannot lawfully negotiate contracts or strike. Between 1982 and 1988, the Mexican government allowed only two independent unions to be registered. LaBotz concluded: "Clearly the Mexican labor authorities use the denial of the registro to deny Mexican workers their most fundamental labor union right, the right to free association and organization."[3]

(2) Denial of Contract to the Workers' Elected Union.—The Mexican government has actively obstructed the process of union democracy by denying "title" to the union contract to unions which a majority of workers favor. The federal Board of Conciliation and Arbitration typically has stalled worker petitions for election to certify a new union or confused the process by bringing in at the last moment previously uninvolved unions to participate. This happened, for instance, when the Ford workers at the Cuautitlan assembly plant sought to sever their ties to CTM and associate instead with COR, another government-affiliated union. Three other unions filed a petition for title to the contract, so that the matter has remained unresolved. In addition, the Mexican Secretary of Labor and the Federal Board of Conciliation and Arbitration removed the leadership of COR, replacing them with party loyalists. When certification elections

[1] A student of Mexican industrial relations, Daniel LaBotz, has written a soon-to-be-published book concerning Mexico's recent labor history. Chapter 2, entitled "Mexican Workers, the State and the Law", explains precisely how the Mexican government violates workers rights. A photocopy of this chapter is provided as supporting evidence for this petition. Mr. LaBotz's book also describes several major cases of workers-rights violations pertaining to workers at the Ford Motor Company's Cuautitlan assembly plant, the Tornel Rubber Company, the Modelo Brewery, the Petroleum Workers' Union at PEMEX, the Cananea Mining Company, and Aeromexico. We are including with this petition a summary of events pertaining to each set of incidents except the last. This book was written as a research project of the International Labor Rights Education and Research Fund, based in Washington, D.C.

[2] CTM's identification with the Mexican government through its ruling political party is documented in certain books cited at the end of Chapter Two of Daniel LaBotz's book. See Frank Brandenburg, The Making of Modern Mexico (Englewood Cliffs, N.J.: Prenctice-Hall, Inc., 1964) and L. Vincent Padgett, The Mexican Political System (Boston: Houghton Mifflin Co., 1966).

[3] See LaBotz, Chapter Two, Evidential Documents, Item 1, pp. 6-8.

have been held, the elections have sometimes been disrupted by goon squads connected with the official unions as in the case of the Tornel Rubber Company elections. Sometimes workers are asked to cast their ballots on company time cards or identification cards, making it possible to retaliate against workers who support independent unions.[4]

(3) Employer Firing of Union Activists or Dissidents.—Although Article 123 of the Mexican Constitution forbids employers to fire union activists without cause, the Mexican government has tolerated abuses of this sort. Ford of Mexico fired members of the worker-elected negotiating committee. More than one hundred union activists still do not have their jobs back.[5]

(4) Exclusion of dissident Union Members.—A provision in the Federal Labor Law of 1931 required employers to fire workers who had been expelled from the legally recognized union. In some cases, a worker's refusal to join the ruling political party, the Institutional Revolutionary Party (PRI), has been grounds for expulsion from the union and resulting loss of a job. In the case of the Miners and Metal Workers Union (STMMRM), union rules forbid members "to propose or two propogate ideas foreign to the union." In other words, workers can be fired for having the wrong political beliefs.[6]

(5) Denial of the Right to Strike.—Although the Mexican Constitution guarantees workers the right to strike, the Federal Board of Conciliation and Arbitration has declared strikes to be illegal on the grounds that only the union that held title to the contract could conduct strikes. This provision has made it difficult for democratically elected insurgent labor groups to call strikes. The Secretary of Labor has reported that strikes were carried out in only 2.3% of the cases where a strike notification was filed. Also, Mexican workers are not allowed to strike against unions, although the desire to rid themselves of undemocratic unions has become a major labor grievance in Mexico. Some cases of abuse in this area would be the 1990 strike at the Modelo Brewery and the 1988 strike at Aeromexico.[7]

(6) Special Laws Restricting Unionization.—Special labor laws have denied certain groups of workers the right to form unions and bargain collectively. In 1937, the Cardenas government denied this right to bank employees. In 1960, workers were divided into two categories with respect to the rights of free association. Private-sector employees generally retained the right to organize, while the right of public-sector employees was curtailed. Daniel LaBotz observed: "Sometimes it is possible to have an unruly union previously covered by Apartado A declared to be a public service employer, moving to workers to Apartado B, and thus removing them of their collective bargaining rights and limiting their strike action." University workers are divided into three groups, and are not allowed to form a single union.[8]

(7) Military Seizure of the Work Place.—A law enacted during World War II, the Law of General Routes of Communications, gave the Mexican government the right to seize the means of communications and transportation in order to prevent "possible sabotage provoked by foreign agents." This power has been used repeatedly as a means of avoiding or obstructing strikes by public-sector employees—in particular, by employees of the state-owned telephone company. Its exercise is usually accompanied by violence and has an intimidating effect on the labor movement in Mexico. In August 1989, the Mexican army took over a copper mine operated by the state-owned Cananea Mining Company in order to block a strike.[9]

(8) Protection Contracts.—There is a widespread practice in Mexico for employers to have so-called "protection contracts" with government-affiliated unions, which are negotiated without the consent or even the knowledge of the represented workers. The Board of Conciliation and Arbitration will accept such contracts without the workers even being informed that they exist. The contracts "protect" the employer from charges of operating a non-union shop, but the terms of the contract provide for substandard wages and benefits. A staff member of the Congress of Labor told Daniel LaBotz that "a majority of labor union contracts (in Mexico) are protection contracts." Sometimes these contracts are sold to businesses by corrupt union officials, contributing to the gangster-like character of state-affiliated unions such as CTM. They are an obvious violation of worker rights.[10]

(9) Pattern Contracts.—Sometimes the heads of large labor organizations such as CTM negotiate contracts for entire sectors of industry without the participation of local unions or their members. Raul Escobar, a member of the worker-elected negotiating committee at the Ford Cuautitlan plant, reported overhearing a telephone conversation between Fidel Velazquez, head of CTM, and the Governor of Chihuahua in which Mr. Velazquez promised to sign an agreement that very evening. Presumably it had not been approved by the workers.[11]

(10) Manipulations by the Boards of Conciliation and Arbitration.—The Federal Boards of Conciliation and Arbitration act to block trade-union democracy by refusing to certify independent unions. Their tripartite structure is, in effect, dominated by the government. A frequent practice of the boards is to delay and postpone action on worker petitions to the point that the workers become frustrated or employers replace union activists with newly hired workers. Manuel Fuentes Muniz, an attorney who represented the Cuautitlan Ford workers, said: "As I see it, the Board of Conciliation and Arbitration is a kind of freezer where labor rights arrive and are frozen. The process is prolonged and the rights cannot be exercised." When the Cuautitlan Ford workers petitioned this board to switch their contract from CTM to COR, the board simply filed the request without taking action. The Board of Conciliation and Arbitration also postponed an election five times which workers at the Tornel Rubber Company has requested.[12]

(11) Extra-legal Interference in Union Activities. The government sometimes becomes involved in labor affairs in extra-legal ways. During the strike at the Modelo Brewery, the Governor of the Federal District pushed for a settlement of the strike which involved terminating the strike leaders. The government also put pressure on the Modelo strikers by arresting their attorney on petty charges resulting from a dispute in a bar a year and a half earlier. A judge required the striking Modelo workers to post an exorbitantly large bond against possible damage to the employer's property before ruling their strike to be illegal. The extra-legal approach includes the use of violence by police officers and thugs thired by government-affiliated unions such as CTM against recalcitrant unions. In the case of the Cuautitlan Ford workers, several hundred armed men entered the Ford plant on the morning of January 8, 1990, and shot seven workers, one of whom died. Dozens of others were beaten with fists and clubs. The workers captured three men belonging to this gang, who confessed that they had been hired by CTM. In the case of the Tornel workers, an armed gang of 200 men, some wearing CTM tee shirts, attacked workers arriving at the polling place on August 4, 1990. The mayor of the town of Tultitlan and several local police officers were seen accompanying this gang. Finally, on January 10, 1989 the Mexican army and police units attacked the home of Joaquin Hernandez Galicia, head of the Petroleum Workers Union who had backed President Salinas' opponent in the 1988 presidential election.[13]

(12) Employers Ignoring the Law.—Presumably due to lack of government enforcement, some employers simply ignore the law with respect to paying the Christmas bonus, profit sharing, and vacations.[14]

(13) The Underground Economy.—Workers in Mexico's "underground economy" work without the protection of labor laws, and enjoy few rights.[15]

In general, workers in Mexico's unionized industries are denied the right of free association and the right to bargain collectively because they are usually represented by government-controlled unions such as CTM who often go along with employers' plans to reduce wages and benefits or even encourage employers to reduce wages and benefits. Ford of Mexico, for instance, initially proposed to pay above-average wages to its employees, but CTM insisted that the wage offering be reduced lest it create dissatisfaction among workers at other CTM-represented firms. When workers attempt to elect more responsive leaders or to switch to another union, governmental agencies refuse to recognize their authority.[16]

Sometimes, as in the case of the Cuautitlan Ford plant, the government-affiliated unions employ thugs to use violence against workers seeking more democratic representation. Sometimes, as in the case of the Cananea copper mine, the courts use questionable bankruptcy proceedings to shield employers from contract demands made by workers threatening to strike. Sometimes, as in the case of the Modelo Brewery, police units are used to disperse workers on the picket line. Sometimes, as in the case of the Cananea copper mine, soldiers of the Mexican army seize company property in order to intimidate workers and head off a strike. The ability to declare constitutionally permitted strikes illegal gives the

[4] See LaBotz, p. 8. See also Evidential Documents, Item 2, pp. 3-4.
[5] See LaBotz, pp. 8-9.
[6] See LaBotz, pp. 9-10.
[7] See LaBoltz, pp. 10-11. See also Evidential Documents, Item 2, p. 5.
[8] See LaBotz, pp. 12-13.
[9] See LaBotz, pp. 13-14. See Also Evidential Documents, Item 2, p. 7.
[10] See LaBotz, pp. 14-15.
[11] See LaBotz, pp. 15-16. The reported remark by Raul Escobar, member of Cuautitlan Ford plant negotiating committee, was made at a conference held at Macalester College in St. Paul on Jan. 26, 1991.
[12] See LaBotz, pp. 16-18. See also Evidential Documents, Item 2, p. 2, p. 3.
[13] See LaBotz, pp. 18-19. See also Evidential Documents, Item 2, p. 1-6. See Evidential Documents, Items 3, 4, and 7.
[14] See LaBotz, pp. 18-19.
[15] See LaBotz, p. 8. See Evidential Documents, Item 2, pp. 6-8 and pp. 16-18; Item 3, p. 4. Also personal recollection of Jose Quintana.

government license to disrupt strike activity.[17]

D. Violations of acceptable work conditions and the minimum age for employment of children

Besides the rights of association and collective bargaining, two other types of "internationally recognized worker rights" include: "a minimum age for the employment of children" and "acceptable conditions of work with respect to minimum wages, hours of work, and occupational safety and health." In these respects also the government of Mexico has permitted and perhaps even condoned worker-rights violations.

(1) Wages, Hours, Occupational Safety and Health.—Although Mexican law includes a minimum wage, this wage of 10,080 pesos per day, or about $3.60, is insufficient to support a single wageearner at a humane standard of living, let alone an entire family. Maria Barcenas, director of the Mexican Center for the Rights of Children, has said: "One million (children) under 5 years died between 1982 and 1988 because of malnutrition and 11 million suffered physical and mental damages that are irreversible. Daily 500 children die due to malnutrition in all the country, and daily 5,000 under the age of 5 survive with damages." It may be claimed that Mexico's level of economic development does not afford higher wages. Yet, real wages in Mexico, expressed in U.S. dollars, have fallen from $1.38 per hour in 1982 to an estimated $.51 per hour in 1991 in part because of policies deliberately pursued by the Mexican government. In the maquiladora plants at Cuidad Juarez, the normal work day is nine hours, but most work an hour or two extra. Work is repetitive and hard.[18]

Maquiladora workers face occupational health and safety problems as a result of exposure to toxic chemicals and fast production schedules. An article in the Wall Street Journal on September 22, 1989 described the border region as "a sinkhole of abysmal living conditions and environmental degradation." The same article declared that "some maquilas resemble sweatshops more than factories. They lack ventilation, and workers may pass out from the heat and fumes. Production demands can put them at risk; Edwviges Ramos Hernandez, a teacher in Juarez, worked at one factory where in a year three workers had fingers sliced off. The machines, she said, were set at a maddening pace."[19]

According to Leslie Kochan, Mexican workers are frequently denied basic health and safety protections against occupational illness or disease, and they risk the loss of their jobs if they protest these dangerous conditions. Gustavo de la Rosa Hickerson, a Juarez attorney, told Daniel LaBotz that, in LaBotz's words, "there are illnesses which are caused by the chemicals that are used in the plant . . . but what happens is that they are not reported. And in practice, Social Security does not recognize occupational illnesses."[20]

According to LaBotz, "Emma C. de Arche also accused the Mexican Institute of Social Security and the maquiladora industry with 'a kind of collusion' so that workers industrial accidents were not correctly reported and workers were not fully compensated for their injuries. In addition, she said, IMS refused to recognize the occupational illnesses of the workers, and did not give workers their full maternity leave subsidy."[21]

(2) Child-labor Violations.—Child labor is common throughout Mexico, although the legal age for working is 16. Teresa Almada, a social worker in Ciudad Juarez, told Daniel LaBotz: "When they are young they go to work at the maquiladora. Supposedly they can go to work at 16 years at age, but many of them begin at 14 or 15. In fact a study was done about two years ago here in this city, and it indicated that 15 percent of the workers in the maquiladora were between 14 and 16 years of age when they went to work, that is they could not legally work, or would have to work with a special permission and work fewer hours. However, it is very common that they change their birth certificates. I had the experience when we had a program in a high school, and we asked the students for their birth certificates that they said, 'Okay, but which one shall we give you, the good one or the one for the maquiladora? I changed the date.'" Deborah Bourque, vice-president of the Canadian Postal Workers, wrote of her visit to Ciudad Juarez: "The legal working age is 16 but employers and unions routinely turn a blind eye to this legal requirement. 'About 10% of the workforce is underage,' Enrique Lomas, a Mexican labor activist, told us. We talked with a group of young women who, when asked their ages, answered in unison 'dieciseis' (sixteen). They were obviously much younger and had been working in the maquila plant, some said, 'for more than one year.'"[22]

The Wall Street Journal cited other evidence of child-labor abuse in Mexico in its front-page article, "Working Children: Underage Laborers Fill Mexican Factories, Stir U.S. Trade Debate", which appeared on April 8, 1991. The article told of a 12-year-old boy, Vincente Guerrero, who had been a promising grade-school student but was forced to quit school to work in a shoe factory. In the course of his work, the boy was obliged to put his hand into a can of glue containing toluene, "a petroleum extract linked to liver, lung, and central nervous system damage." As a result, he was "home in bed with a cough, burning eyes, and nausea" just weeks after starting work. He also stank "as bad as a bicycle tire" at soccer games. The article observed more generally: "It's illegal in Mexico to hire children under 14, but the Mexico City Assembly recently estimated that anywhere from five million to 10 million children are employed illegally, and often in hazardous jobs. 'Economic necessity is stronger than a theoretical prohibition,' says Alfredo Farit Rodriguez, Mexico's Attorney General in Defense of Labor, a kind of workers' ombudsman." The state of Guanajuato had just five child-labor inspectors to cover 22,000 businesses. Enforcement of child-labor laws was therefore totally ineffective.[23]

E. Concerning the murder at Ford's Cuautitlan Assembly Plant

The struggle of Ford workers at the Cuautitlan Assembly Plant brings into focus a number of worker-rights violations including the explicit denial of workers' right to affiliate with a union of their choice and the use of violence against workers. The bloody incident which occurred inside the plant on the morning of January 8, 1990, has attracted worldwide attention. We are attempting to document the worker-rights abuses in various ways. In addition to the summary of this dispute based on Daniel La Botz's book, we are providing as evidence relating to it certain printed articles and a videotape including an interview with Raul Escobar and Jose Santos Martinez, two elected members of the Cuautitlan workers' negotiating committee, and a speech delivered by Jose Santos Martinez at a conference held at Macalester College in St. Paul, Minnesota, on January 25th and 26th, 1991. A printed transcript of the English-language translation of remarks pertinent to workers' rights violations is also included with the evidence. Finally, we are including a photocopy of a letter addressed to William McGaughey, Jr., one of the petitioners, from Peter D. Olsen, manager of Ford of Mexico's public-affairs unit, stating that the Ford Motor Company had no knowledge whatsoever that violent acts would be committed against workers in its plants. If we take this statement at face value, the evidence is even stronger that government-sponsored unions—namely, CTM—were prime perpetrators of this violence.[24]

The evidence is indisputable that a Ford worker, Cleto Nigno, was shot to death inside the Cuautitlan plant on January 8, 1990. Mr. Nigno died in a hospital two days later. Eight other workers were shot during this incident, but were not fatally wounded. About one hundred other workers sustained wounds not inflicted by gunshot. Three assailants were apprehended in the plant, who subsequently made statements that they had been hired by Hector Uriarte and J. Guadalupe Uribe, leaders of CTM's local union at the Cuautitlan plant. This evidence appears on page 5 of the newspaper, Excelsior, on January 10, 1990. In the videotaped interview, Raul Escobar and Jose Santos Martinez give other details of the violent incident that took place inside the Cuautitlan plant on January 8, 1990. According to attorney Manuel Fuentes Muniz, the government police failed to appear on the scene during the attacks against workers. A possible motive for the attack is given by the fact that the attack followed by three days the distribution of literature calling for Ford workers to assemble at CTM's national headquarters, and that a group of thugs linked to the government police attacked and beat the democratically elected union leaders on the same day. Ultimately, the Cuautitlan workers' demand to replace Hector Uriarte with someone else through election may have triggered the attack.

F. Some similarities between incidents

We can see a consistent pattern here that attempts to choose local union leaders through democratic elections arouse the ire of Fidel Velazquez. The same situation developed in the dispute at the Modelo Brewery, even though the new union local general secretary, German Renglin, professed complete loyalty to CTM. In that case, Fidel Velazquez dissolved the union local itself, and appointed a new union with a new execu-

[17] See LaBotz, pp. 13–14, pp. 18–19. See Evidential Documents, Item 2, pp. 5, 7, 8.

[18] The Pro-Canada Dossier, Jan.–Feb. 1991, p. 28, "The Two Faces of the Maquiladoras" by Tony Wohlfarth; "Dominant Trends of Mexico's Conjunction" by Comision de Informacion, Frente Autentico del Trabajo, Sept. 1990, p. 8; LaBotz book, chapter on maquiladoras, p. 4, based on figures supplied by the Mexican Secretary of Commerce.

[19] Wall Street Journal, September 22, 1989, pp. R26–R27.

[20] LaBotz book, chapter on maquiladoras, pp. 6, 12. See Leslie Kochan, The Maquiladoras and Toxics (Washington: AFL–CIO, 1989).

[21] LaBotz book, chapter on maquiladoras, p. 18.

[22] LaBotz book, chapter on maquiladoras, pp. 13–14; Pro-Canada Dossier, "Women in the Maquiladoras" by Deborah Bourque, p. 33.

[23] Wall Street Journal, April 8, 1991, pp. 1,14 Submitted in Evidential Documents as Item 6.

[24] See La Botz, p. 7–9, 16–18. See also Evidential Documents, Items 2 (pp. 1–3), 3, 4, 7, 8, 9. The videotaped interview and the talk by Jose Santos Martinez may be heard in their entirety in both Spanish and the English-language translation.

tive committee. The Cuautitlan Ford workers, however, petitioned the federal Board of Conciliation and Arbitration to affiliate with another national union, COR, instead of with CTM. In this respect, the Ford workers' struggle parallels that of workers at the Tornel Rubber Company, who likewise petitioned the Board of Conciliation and Arbitration to affiliate with a union other than CTM. The Tornel workers likewise sustained violent attacks by armed thugs obviously linked to CTM. Again, the Board of Conciliation and Arbitration kept stalling on the petition, and, in both cases, have succeeded in preventing workers from switching to a union of their choice. The same tactic of bringing in several other unions, including ones affiliated with CTM, was used by the federal board to delay and confuse the certification election. Even though an overwhelming majority of workers at both the Ford and Tornel plants voted in favor of another union, violence combined with governmental obstacles has prevented that option from being effectively exercised.

IV. CONCLUSION

Clearly, workers' rights of free association have been violated by the Mexican government. Whatever legal protections may exist in theory, their right to form independent unions has been consistently frustrated in practice. Child-labor laws have likewise been widely ignored. Occupational health and safety violations are rampant. Furthermore, there does not appear to be any substantial improvement in the respect for workers rights. On the contrary, ongoing efforts to attract foreign investment to Mexico have as a prime feature the maintenance of low wages and suppression of union democracy. Mexico's disguised totalitarian power structure makes it unlikely that the situation will change.

That is why we are petitioning for Mexico's eligibility to be reviewed as a beneficiary developing country under the Generalized System of Preferences. We believe that a thorough and impartial review of its status will determine that Mexico is ineligible to continue to benefit under that trade program because of clear and systematic violations of internationally recognized worker rights. We request that the review be made and that Mexico's eligibility to receive trade benefits under the GSP program be terminated if the violations cited in our petition are found to be valid and real.

WILLIAM MCGAUGHEY, JR.
THOMAS J. LANEY.
JOSE QUINTANA.

[From the Wall Street Journal, Feb. 12, 1991]

MEXICO'S UNION BOSS, ALLY OF SALINAS, IS A STUMBLING BLOCK IN TRADE TALKS

(By Matt Moffett)

MEXICO CITY.—Political cartoonists here have never quite agreed on how to render Fidel Velazquez, Mexico's 90-year-old union czar. Playing up his dark glasses and slicked-back hair, some draw the labor boss as a sinister gangster. Other artists emphasize Mr. Velazquez's baggy suits and cigar to sketch him as a grandfatherly vaudevillian.

The question of whether Mr. Velazquez is sinister or not is one question in the complex negotiations over a free trade agreement between the U.S. and Mexico.

The biggest opposition to the pact is coming from U.S. unions. They say free trade could depress U.S. wages and send jobs fleeing to Mexico, where businesses often benefit from repression, corruption and lax work standards linked to Mr. Velazquez's government-loyal labor umbrella group, the Confederation of Mexican Workers. "Fidel Velazquez is the Al Capone of Mexico's labor relations," says Daniel La Botz, an analyst for a U.S. worker rights group that has assailed the free-trade push.

U.S. proponents of free trade—big business and administration officials concerned about keeping a stable Mexico—emphasize the role of Mr. Velazquez's organization in maintaining tranquility during Mexico's debilitating debt crisis. "It's very easy to look at this in simplistic terms and say this is wrong," says Nicholas Scheele, director of Ford Motor Co. in Mexico. "But is there any other country in the world where the working class . . . took a hit in their purchasing power of in excess of 50% over an eight-year period and you didn't have social revolution?"

As head of a vast labor network that doubles as the last redoubt of an increasingly unpopular ruling political party, Mr. Velazquez stands at the crossroads where economic reform and political reform converge. On one hand, the government needs tight control of labor to buy time for its market-oriented economic reforms to flourish. On the other hand, it needs to dismantle the labor apparatus to make Mexico more democratic.

President Carlos Salinas de Gortari has been quite clear about which of the two reform projects he considers more urgent. "We established economic reform as the priority, and to be able to realize it, we have used mechanisms of the political system that permit this dialogue and this consensus-building," President Salinas said in an interview. "I think the least convenient thing is to try to do everything at the same time, because the result can be zero."

Mr. Salinas took another incremental step toward political opening yesterday when we met with populist Sen. Porfirio Munoz Ledo in what analysts called Mr. Salinas's first public encounter with a top leader of the leftist opposition since he took Mexico's highest office amid charges of electoral fraud in 1988.

Of Mr. Velazquez, the president says:

"He's a labor leader with whom it's possible to converse and to reach an agreement, and he has the ability to fulfill it. Thus, he plays a very important role in the process of economic stabilization."

Mexico's ruling elite feels its choice of priorities has been vindicated by the growing economic chaos, not to mention the rollback in political freedoms, that's occuring in the Soviet Union. They say Soviet leader Mikhail Gorbachev had it backwards when he placed a full-bore political overhaul before a relatively limited economic overhaul.

"Politically, if it's possible to have an evolution rather than a revolution, it's much more effective and better for all," says Alberto Santos, a leading industrialist, who has served as a ruling party congressman "Fidel Velazquez has been a very important factor in political stability during economic changes."

Mr. Velazquez has always displayed at least as much sympathy for the government as for the rank and file. But during Mexico's debt crisis, he has looked the other way while workers endured hardship unmatched since the Great Depression. The number of strikes has dwindled as a result of government intimidation tactics, including the use of the army against recalcitrant unions. Mr. Velazquez forbore pushing for an immediate recuperation of purchasing power and signed onto the government anti-inflation program.

One incentive for labor officials who keep the rank and file in line is the well-refined system of graft, a system that even offends some businessmen who benefit from tame unions. The union system "has its good points," says Fernanado Canales, a steel executive and member of the conservative opposition, "but in my opinion, the corruption has been carried to excess." He cites the case of a local union boss who has amassed a real estate empire.

Whatever the excesses of his subordinates, Mr. Velazquez's own style is spartan. The former milkman arrives at bargaining sessions without the retinue that accompanies most officials. At the negotiating table, he doesn't take notes but never forgets a detail, say those who have dealt with him. "He has a razor-sharp mind," says Ford's Mr. Scheele.

But for Mexican workers, the results of Mr. Velazquez's loyalty to the government have been mixed. A leading business chamber this week said that some 77,000 businesses, employing hundreds of thousands of workers, had closed since the government began tearing down trade barriers and opening the economy to foreign competition in 1986.

On the other hand, workers have benefited from the growth Mexico has recorded in each of the last two years. And a program that cut inflation to 29 percent last year from 170 percent in 1987 "has helped bring an important recuperation in purchasing power," says Jorge Vazquez Costilla, an economist at Grupo Visa, a conglomerate. He points out that some workers in service industries now earn as much as they did before the debt crisis, and that most manufacturers must now pay double the minimum wage to attract help.

The government is banking on free trade as the last step to recovery. But to even start talks, Mexico must overcome criticism of its political system, especially of the leader known as Don Fidel. "It's an odd irony," says a diplomat here. "This old man who was the government's greatest ally for a decade may in this case be one of its greatest liabilities."

[From the Wall Street Journal, Apr. 8, 1991]

WORKING CHILDREN—UNDERAGE LABORERS FILL MEXICAN FACTORIES, STIR UNITED STATES TRADE DEBATE

(By Matt Moffett)

LEON, MEXICO.—When Vicente Gurrero reported for work at the shoe factory, he had to leave his yo-yo with the guard at the door. Then Vicente, who had just turned 12 years old, was led to his post on the assembly line: a tall vertical lever attached to a press that bonds the soles of sneakers to the uppers.

The lever was set so high that Vicente had to shinny up the press and throw all his 90 pounds backward to yank the stiff steel bar downward. It reminded him of some playground contraption.

For Vicente this would have to pass for recreation from now on. A recent graduate of the sixth grade, he joined a dozen other children working full time in the factory. Once the best orator in his school and a good student, he now learned the wisdom of silence: even opening his mouth in this poorly ventilated plant meant breathing poisonous fumes.

Vicente's journey from the front-row desk of his schoolroom to the factory assembly line was charted by adults: impoverished parents, a heedless employer, hapless regulators, and impotent educators. "I figure work must be good for me, because many older people have helped put me here," says Vicente, shaking his hair out of his big, dark eyes. "And in the factory I get to meet lots of other boys."

Half of Mexico's 85 million people are below the age of 18, and this generation has been robbed of its childhood by a decade of debt crisis. It's illegal in Mexico to hire children under 14, but the Mexico City Assembly recently estimated that anywhere from five million to 10 million children are employed illegally, and often in hazardous jobs. "Economic necessity is stronger than a theoretical prohibition," says Alfredo Farit Rodriguez, Mexico's Attorney General in Defense of Labor, a kind of workers' ombudsman.

Child labor is one of several concerns about standards in the Mexican workplace clouding the prospects for a proposed U.S. Mexico free trade agreement. It is being seized upon, for example, by U.S. labor unions, which oppose free trade and fear competition from Mexican workers.

Recently, Democratic Sen. Lloyd Bentsen of Texas, the chairman of the Senate Finance Committee, and House Ways and Means Committee Chairman Dan Rostenkowski of Illinois warned President Bush in a letter of the major hang-up: "the disparity between the two countries in . . . enforcement of environmental standards, health and safety standards and worker rights." Mr. Bush yesterday reiterated his support for the trade pact.

Free-trade advocates argue that investments flowing into Mexico would ameliorate the economic misery that currently pushes Mexican children into the work force. Partisans of free trade also point to the aggressiveness Mexican President Carlos Salinas de Gortari has lately shown in fighting lawbreaking industries: Mexico added 50 inspectors to regulate foreign plants operating along the U.S.-Mexico border and shut down a heavily polluting refinery in Mexico City.

LITTLE FOXES

Young Vicente Guerrero's life exemplifies both the poverty that forces children to seek work and the porous regulatory system that makes it all to easy for them to find jobs. In the shantytown where Vicente lives and throughout the central Mexico state of Guanajuato, it is customary for small and medium-sized factories to employ boy shoemakers known as zorritas, or little foxes.

"My father says I was lucky to have so many years to be lazy before I went to work," says Vicente. His father, Patricio Guerrero, entered the shoe factories of Guanajuato at the age of seven. Three decades of hard work later, Mr. Guerrero lives in a tumbledown brick shell about the size and shape of a baseball dugout. It is home to 25 people, maybe 26. Mr. Guerrero himself isn't sure how many relatives and family friends are currently lodged with him, his wife and six children. Vicente, to get some privacy in the bedroom he shares with eight other children, occasionally rigs a crude tent from the laundry on the clotheslines crisscrossing the hut.

School was the one place Vicente had no problem setting himself apart from other kids. Classmates, awed by his math skills, called him "the wizard." Nearly as adept in other subjects, Vicente finished first among 105 sixth-graders in a general knowledge exam.

Vicent's academic career reached its zenith during a speaking contest he won last June on the last day of school. The principal was so moved by the patriotic poem he recited that she called him into her office to repeat it just for her. That night, Vicente told his family the whole story. He spoke of how nervous he had been on the speaker's platform and how proud he was to sit on the principal's big stuffed chair.

After he finished, there was a strained silence. "Well," his father finally said, "it seems that you've learned everything you can in school." Mr. Guerrero then laid his plans for Vicente's next lesson in life. In a few weeks, there would be an opening for Vicente at Deportes Mike, the athletic shoe factory where Mr. Guerrero himself had just been hired. Vicente would earn 100,000 pesos a week, about $34.

At the time, money was tighter than usual for the Guerreros: Two members of the household had been laid off, and a cousin in the U.S. had stopped sending money home.

After his father's talk, Vicente stowed his school books under a junk heap in a corner of the hut. It would be too painful, he thought, to leave them out where he could see them.

Last August Vicente was introduced to the Deportes Mike assembly line. About a dozen of the 50 workers were underage boys, many of whom toiled alongside their fathers. One youth, his cheek bulging with sharp tacks, hammered at some baseball shoes. A tiny 10-year-old was napping in a crate that he should have been filling with shoe molds. A bigger boy was running a stamping machine he had decorated with decals of Mickey Mouse and Tinker Bell. The bandage wrapped around the stamper's hand gave Vicente an uneasy feeling.

Showing Vicente the ropes was the plant superintendent's 13-year-old son, Francisco Guerrero, a cousin of Vicente's who was a toughened veteran, with three years' experience in shoemaking.

When a teacher came by the factory to chide school dropouts, Francisco rebuked her. "I'm earning 180,000 pesos a week," he said. "What do you make?" The teacher, whose weekly salary is 120,000 pesos, could say nothing.

Vicente's favorite part of his new job is running the clanking press, though that usually occupies a small fraction of his eight-hour workday. He spends most of his time on dirtier work: smearing glue onto the soles of shoes with his hands. The can of glue he dips his fingers into is marked "toxic substances . . . prolonged or repeated inhalation causes grave health damage; do not leave in the reach of minors." All the boys ignore the warning.

Impossible to ignore is the sharp, sickening odor of the glue. The only ventilation in the factory is from slits in the wall where bricks were removed and from a window near Vicente that opens only halfway. Just a matter of weeks after he started working, Vicente was home in bed with a cough, burning eyes and nausea.

What provoked Vicente's illness, according to the doctor he saw at the public hospital, was the glue fumes. Ingredients aren't listed on the label, but the glue's manufacturer, Simon S.A. of Mexico City, says it contains toluene, a petroleum extract linked to liver, lung and central nervous system damage. The maximum exposure to toluene permitted under Mexican environmental law is twice the level recommended by recently tightened U.S. standards. And in any event, Deportes Mike's superintendent doesn't recall a government health inspector coming around in the nine years the plant has been open.

When Vicente felt well enough to return to work a few days later, a fan was installed near his machine. "The smell still makes you choke," Vicente says, "but *el patron* says I'll get used to it."

El patron, the factory owner, is Alfredo Hidalgo. "These kinds of problems will help make a man of him," Mr. Hidalgo says. "It's a tradition here that boys grow up quickly." Upholding tradition has been good for Mr. Hidalgo's business: Vicente and the other zorritas generally are paid less than adult workers.

Mr. Hidalgo doesn't see that as exploitation. "If it were bad for Vicente, he wouldn't have come back after the first day of work," he says. "None of the boys would, and my company wouldn't be able to survive."

The system makes protecting the zorritas very, very difficult," says Teresa Sanchez, a federal labor official in Guanajuato state. The national labor code gives the federal government jurisdiction over only a limited number of industries that make up just 3% of businesses in the state. "The important industries, like shoes," she says, "are regulated by the states, and the states * * *." She completes the sentence by rolling her eyes.

At the state labor ministry, five child labor inspectors oversee 22,000 businesses. The staff has been halved in the decade since Mexico's economic crisis erupted, says Gabriel Eugenio Gallo, a sub-secretary. The five regulators make a monthly total of 100 inspections. At that rate it would take them more than two decades to visit all of the enterprises under state jurisdiction. Because child labor violations weren't even punishable by fines until very recently, state regulators say they have a hard time getting the tradition-bound employers they do visit to take them seriously. "Ultimately, the schools must be responsible for these kids," Mr. Gallo concludes.

Located just four blocks from where Vicente Guerrero labors, the Emperador Cuauhtemoc school employs two social workers to reclaim dropouts. (Children are required by law to stay in school through the sixth grade.) One-third of the students at Cuauhtemoc never finish the Mexican equivalent of junior high. With their huge caseloads, the two social workers certainly have never heard of Vicente Guerrero. "Ultimately, it's the boy's own responsibility to see to it that he gets an education," says Lourdes Romo, one of the counselors.

Vicente is still getting an education, but it's of a different sort than he would be getting in school. On a factory break, the superintendent puts a zorrita in a headlock to act out the brutal murder of a member of a local youth gang. This pantomime is presented to Vicente and a rapt group of boys as a cautionary tale. "Boys who don't work in the factory die this way on the street," the superintendent warns.

Vicente hasn't missed work again, though he always has a runny nose and red eyes. "One gets accustomed to things," he says. It's lucky for him that he is adaptable. The plant was expanded recently and Vicente's window, once his source of fresh air, now swings open onto a sewing room where several new boys labor.

The zorrita tradition is unlikely to fade any time soon. "We eat better now that Vicente works," says Patricio Guerrero, watching his wife stir a skillet of chicken in sweet mole sauce. "And Vicente has few pesos left over so he can enjoy being a boy."

But Vicente doesn't have the time. Even though he's the captain, he recently missed an important Saturday match of his soccer team. A rush order of soccer shoes had to be filled at Deportes Mike. His friends tell him that "I stink as bad as the patch on a bicycle tire," he says. "But I know that's just the smell of work."

Mr. BRUCE. Mr. Speaker, I rise today to urge the U.S. Trade Representative to inves-

tigate charges that the Government of Mexico acting to systematically repress worker movements independent of government control.

During the recent debate over the extension of the fast track procedure, there were numerous reports that the Mexican Government was acting directly, and indirectly through government controlled unions, to deny the Mexican people the right to associate, organize, and bargain collectively.

There were allegations that the government refused to register unions indpendent of its control; thereby rendering them illegal. There were further allegations that the government disrupted certification elections for democratically elected unions with groups from government controlled unions or refused to hold elections entirely. When independent unions have struck, their strikes have then been declared illegal despite provisions in the Mexican constitution which guarantee their right to strike. Finally, it is alleged that there have been military seizures of the workplace to break up strikes.

Because of the limited timeframe of the fast track debate, we were unable to thoroughly investigate these charges. The Trade Policy Committee has now filed a petition with the U.S. Trade Representative which thoroughly examines these charges and requests that the U.S. Trade Representative review Mexico's status under the generalized system of preferences.

Mr. Speaker, this petition provides an excellent forum in which to investigate these allegations. The administration has assured Congress that Mexico fully respects worker's rights and has pledged to work with Congress to resolve questions concerning them. In the spirit of these assurances to consult and to work with us, I strongly urge the U.S. Trade Representative to grant the Trade Policy Committee's request for a review of Mexico's labor practices and a hearing on the merits of these allegations.

□ 1750

TRIBUTE TO THE VALIANT PEOPLE OF THE REPUBLIC OF CYPRUS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. BILIRAKIS] is recognized for 60 minutes.

GENERAL LEAVE

Mr. BILIRAKIS. Mr. Speaker, before I begin my remarks, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of this, my special order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BILIRAKIS. Mr. Speaker, today I rise with many others of my colleagues to pay tribute to the valiant people of the Republic of Cyprus on this, the 17th year of the occupation and division of that island nation. July 20 marked that 17th year, and this is a day of both sadness and embitterment for the Cypriot people. I am proud to extol the steadfast spirit of the Cypriots, a national spirit that has been strained for more than half of the years Cyprus has known independence. Indeed it remains a dark and lonely spot at a time when freedom is in fact raging across the world's landscape like a wild fire, and, therefore, on this day I stand with my colleagues in calling for peace and resolution of this crisis.

Mr. Speaker, at this point I am proud to yield to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Speaker, I thank the gentleman from Florida [Mr. BILIRAKIS].

Mr. Speaker, the rich history of Cyprus can be chronicled by the number of times its soil has been trampled on by foreign invaders. For 27 centuries, armies of Phoenicians, Persians, Romans, Greeks, Ottomans, and British have laid claim to this small island in the Eastern Mediterranean.

It is no different today. In 1960, Cyprus gained its independence from British colonial rule through the London-Zurich Agreements negotiated with Great Britain, Greece, and Turkey. They were presented as a package to both Greek and Turkish Cypriots to be agreed to without modification. The agreements barred both union with Greece and partition of the country.

On July 20, 1974, the Greek Cypriot National Guard, acting on instructions from the military junta ruling Greece, overthrew the Government of Cyprus. Five days later, Turkey, using the illegal Greek-initatied coup as a pretext, invaded Cyprus, a sovereign nation and U.N. member, and occupied the northern part of the island in violation of U.N. Charter Article 2(4). Over 5,000 Greek Cypriots lost their lives. At present, Turkey is the only nation to formally recognize the regime they created, the self-proclaimed Turkish Republic of North Cyprus. Turkish Cypriots comprise only 18 percent of the country's population, but occupational forces have usurped nearly 40 percent of the territory.

For the last 17 years, the United Nations has repeatedly passed resolutions calling for the removal of Turkish troops. Several times, the U.N. has initiated dialog between the two sides, only to have the talks stall, be postponed, or collapse.

Turkey is in clear violation of the NATO Charter by failing to settle the Cyprus situation "by peaceful means in such a manner that international peace and security and justice are not endangered." Although Turkey continues to violate the North Atlantic Treaty by its presence in Cyprus, NATO continues to ignore this transgression. Nor has the United States required compliance with the rule of law as a condition for U.S. aid.

The histories of partitioned countries usually extend beyond internal squabblings into political issues controlled by distant governments, who see gains for themselves by resolving, or not resolving, particular conflicts. Cyprus is no different. The final act of this political drama may not be written by either Greece or Turkey, but by 12, not so geographically distant, governments—the members of the European Community. Turkey wants badly to join this exclusive club, and as the applicant waiting in line the longest, risks seeing Poland, Hungry, and Czechoslovakia being admitted before itself unless they withdraw from Cyprus.

The occupation of Cyprus is not the sole obstacle to Turkey's acceptance in the European Community, however. Turkey has engaged and continues to engage in a consistent pattern of gross violations of internationally recognized human rights. Over 35,000 Greek Cypriot homes and property have been confiscated. 1,614 Greek Cypriot citizens have been subject to prolonged detention. Their homes, shops, villages, and farms have been sold or given to Turkish settlers and members of the occupied forces without proper legal authority. These are issues that must be addressed before Turkey's application receives serious consideration.

Turkey and Greece are key United States allies. They are strategically located. Both were instrumental in the allied effort to free Kuwait. The President has gone on record that he is firmly committed to breaking this impasse and emphasized in Greece late last week that he hoped to resolve their long-standing differences with Turkey this year. Unfortunately, talks with both leaders made little apparent progress.

A solution is not difficult if the will to act is strong. Cyprus is the acid test for the new world order. Are we to continue a double standard for Turkey or do we apply the same rules to our friends and foes alike? Resolving this situation, sooner than later, would alleviate great tensions in that corner of the world. A solution that is mutually beneficial to both countries provides the ground work for future cooperation in other areas. The advantages of cooperation are vast and far-reaching, not only ensuring the stability of the Middle East, but the world at large. And the real winner is Cyprus.

Mr. BILIRAKIS. Mr. Speaker, I thank the gentleman from New York [Mr. FISH]. I appreciate, on behalf of myself, my fellow Hellenic Americans, in the United States and throughout the world, and Cypriots, those kind remarks, and I would remind the people throughout America that the gentleman serves as the ranking Republican on the Committee on the Judiciary, has served America and his people for many, many years, as did his father and grandfather before him. His re-

marks certainly are very profound and very much appreciated.

Mr. Speaker, at this point I would yield to the gentleman from Ohio [Mr. FEIGHAN], a gentleman who has been at the forefront on the issue of Cyprus, and I might add the issue of Greece, for many, many years, and I would also ask that at the tail end of his remarks that a particular column that he wrote and submitted in one of the newspapers here in the country be made a part of the RECORD, and I would submit it as a part of that RECORD.

Mr. FEIGHAN. Mr. Speaker, I appreciate the gentleman from Florida [Mr. BILIRAKIS] yielding to me, and I thank him particularly for all that he has done in this Congress on the very difficult and contentious issue of Cyprus. Mr. BILIRAKIS has been one of the most responsible and forceful voices in this Congress on that issue for the past several years, and it is an honor for me to join him, and the gentlewoman from Maryland [Mrs. BENTLEY], and so many of our other colleagues today who are coming to the floor or submitting their statements for the RECORD on the issue of Cyprus.

Mr. Speaker, I am pleased to join my colleagues, Mr. BILIRAKIS from Florida and Mrs. BENTLEY from Maryland in sponsoring this special order on Cyprus.

Tonight, our special order serves a twin purpose. Each year we recall the 1974 Turkish invasion of Cyprus, the forced division that took place, and the occupation of the northern third of the island that continues to this day. We remember the 200,000 refugees created by the conflict as well as those 1,614 missing and still unaccounted for by the authorities in Ankara. And we remember that this statistic includes five missing Americans—U.S. citizens whose families still do not know the fate of their loved ones.

At the same time, our special order comes at a time of unprecedented focus on the Cyprus issue. President Bush's trip to Greece and Turkey last week was the first by an American President since 1959. The visit follows several months of preliminary discussions between President Bush and President Ozal of Turkey and President Vassiliou of Cyprus.

President Bush clearly recognizes the important role that he can play. While he stated last week that he has no ready-made solution to the Cyprus problem, he has said that "The status quo is not an answer" and that he wants to play a "catalytic" role in solving the Cyprus issue.

These statements bring to mind the experience of the Camp David accords. That achievement remains a hallmark of United States diplomacy and holds an interesting object lesson for application to the Cyprus conflict: namely that the President of the United States can use his good offices to help create the necessary atmosphere for peacemaking.

To see a solution on Cyprus, we need to see political leadership that is willing to take risks for peace. Again, President Bush has helped set the stage by acknowledging the exceptional leadership that we have in President Mitsotakis of Greece, President Ozal and President Vassiliou. I must commend the President for a highly successful visit and for fully engaging the prestige and the power of the American Presidency in the search for a Cyprus solution.

Now, it's time for the parties themselves to get down to business. President Vassiliou has put forward proposals that would create a unitary, federal republic in which Turkish-Cypriots, now 18 percent of the population, would enjoy political power greater than their numbers alone would warrant. In exchange, Mr. Vassiliou seeks freedom for all Cypriots to move freely throughout the island, to hold property and to enjoy the bounty of the entire island—in partnership with the Turkish-Cypriot community.

It's now up to the Turkish-Cypriot community to respond to these proposals. And it's up to the leadership in Ankara to move the process forward.

Turkey continues to keep an occupation force of 35,000 troops on the island. Turkey remains the only country to recognize the breakaway state on northern Cyprus. And Turkish troops and their dependents regularly encroach on the city of Famagusta, an area that the Turks had pledged to leave unoccupied. Each of these actions has been condemned by U.N. Security Council resolutions.

It's time for Turkey to end its occupation of the northern part of Cyprus. In the past 2 years, we have witnessed the fall of the Berlin Wall; the parting of the Iron Curtain—even the crumbling of the apartheid system in South Africa.

Surely it's time for the people of Cyprus to join in the promise of this new era in international politics.

Surely it's time for Cyprus, once again, to be made whole and free.

Surely it's time for peace and justice to come to Cyprus.

□ 1800

Mr. BILIRAKIS. Mr. Speaker, I had referred earlier to the article, the column by the gentleman from Ohio [Mr. FEIGHAN] in a prominent newspaper. This is the column, "A Chance for Peace in Cyprus," in the New York Times Op-Ed section on Saturday, July 20, 1991, where he says in effect it is time for President Bush to get tough with the Turks.

I very much commend and appreciate the leadership that the gentleman from Ohio [Mr. FEIGHAN] has shown on this issue. It is certainly easy for a person like myself, who is a proud Greek-American, to try to show interest and leadership in an issue such as this, but much more difficult for the gentleman from Ohio, but I know it comes from the heart and I appreciate it so very much, ED.

Mr. Speaker, I yield to the gentleman from New York [Mr. GILMAN] for his remarks on this subject.

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding to me. I want to commend the gentleman from Florida [Mr. BILIRAKIS] for bringing us together on this important issue this evening.

Mr. Speaker, on July 20, 1974, Turkish troops invaded the island of Cyprus. Since that time, Ankara has maintained an occupation force, 30,000 to 40,000 strong, in northern Cyprus. The United Nations, with U.S. support, has been promoting an intercommunal negotiating process aimed at creating a new federal republic on the island. Such a federal republic would be a bicommunal, bizonal, nonaligned, and independent state.

Since late 1988, Greek Cypriot President, George Vassiliou, and Turkish Cypriot leader, Rauf Denktash, have been meeting with United Nations Secretary-General Perez de Cuellar. After a June 1979 meeting in New York, U.N. officials circulated a draft outline to the two sides, outlining points of possible mutual understanding on such issues as territorial concerns, security guarantees, and the nature of the new constitution.

The United States Government has closely monitored developments in Cyprus. Our House Foreign Affairs Committee annually authorizes $15 million to Cyprus with the intent of promoting bicommunal projects, and to provide scholarship money to Cypriot students. Our executive branch has also played an important role in the quest toward a peaceful resolution to the Cyprus problem. To that end, I commend Ambassador Nelson Ledsky for his outstanding efforts.

Despite the many frustrations which we have encountered in Cyprus, there is some reason to be hopeful. President Bush has stressed the importance of the Cyprus issue during his recent talks with President Turgut Ozal of Turkey. We all hope and pray that a U.N. conference may soon take place, with all concerned parties participating.

Mr. Speaker, July 20, 1991, marked the tragic 17th anniversary of Turkey's illegal presence on the island of Cyprus. The invasion itself killed thousands of Cypriots, and displaced an additional 150,000 from their homes. The division of Cyprus has resulted in violent confrontations along the so-called green line for the last 16 years.

I commend our colleagues, the gentleman from Ohio [Mr. FEIGHAN], the gentleman from Florida [Mr. BILIRAKIS], and the gentlewoman from

Maryland [Mrs. BENTLEY] for their diligent work and leadership in sponsoring this special order on Cyprus. We join together in urging President Bush, and Secretary Baker to place the resolution of the division of Cyprus at the top of our Nation's foreign policy agenda. The executive and legislative branches of our Government must join together, in sending the strongest message possible to Ankara to "Get those occupying troops out now" and to both the Greek Cypriots and Turkish Cypriots to continue to confer and work for a peaceful, unified island.

Mr. BILIRAKIS. Mr. Speaker, I thank the gentleman from New York. He, too, has been a very stellar supporter of, I would say Greeks, but the issues of Greeks, the issues of Cyprus, but more than anything else the issues of justice and fairness.

Ben, it has been wonderful to work with you through all these years.

Mr. Speaker, I yield to the gentleman from New York [Mr. MANTON], who represents, in addition to other areas, the Astoria section of New York, a very much-loved individual there. I know that personally because I visit there often.

□ 1810

Mr. MANTON. Mr. Speaker, I am proud to join my colleagues on the floor today to mark the 17th anniversary of the Turkish invasion of Cyprus. At the outset, I want to thank my colleague, MIKE BILIRAKIS, for reserving this time to call for a peaceful resolution to the strife which has gripped this island nation for nearly 20 years.

Unlike most of the world's longstanding geopolitical disputes, it is important to note there is no international disagreement about the genesis of the Cyprus conflict. The historical record is clear. On July 20, 1974, in an act of unprovoked aggression, Turkish troops invaded and seized 37 percent of the territory of the Republic of Cyprus. As a result, 200,000 Greek Cypriots were forcibly expelled from their homes. Perhaps most devastating, the fate of 1,619 other Greek Cypriots, missing since the invasion, has never been determined. The Turkish invasion violated the U.N. Charter and the NATO Treaty. I believe it is telling that Turkey is the only nation ever to recognize the Turkish Republic of Northern Cyprus.

Mr. Speaker, the people of Cyprus have suffered the division of their country for too long. Since 1974, the so-called green line which separates one-third of the island from the rest of the nation has separated Cypriots from their homes and land. I am hopeful the time has come for the occupation to come to an end.

In June, several of my colleagues and I met with Cyprus' President George Vassiliou during his visit to the United States. At that meeting, it was apparent that President Vassiliou is an energetic man devoted to bringing peace to his divided country. As a result of his efforts, I believe we have cause for optimism. The United Nations Security Council has endorsed U.S. Secretary General Javier Perez De Cuellar's plan to convene a U.N. conference on Cyprus.

Unfortunately, the stumbling block on the road to peace continues to be the Government of Turkey. Already this year Turkey has stubbornly refused to respond in a meaningful way to overtures from Secretary of State Baker and the European Community.

Mr. Speaker, how much longer is the world going to allow Turkey to ignore the rule of law? Now that the attention of the international community is focused on Cyprus, we in the United States must exert pressure on Turkey to withdraw all of its troops from Cyprus. Earlier this year, the United Nations worked in concert to free Kuwait from the grip of Saddam Hussein. If the United Nations can achieve this kind of success with an imperialist dictator, surely we should be able to achieve peace in Cyprus when all parties to the conflict are United States allies. Currently all hope for peace in Cyprus rests with Turkish President Turgut Ozal. It is up to the Turkish President to clear the way for the U.N. talks. I urge Mr. Ozal to cooperate fully with the U.N. effort. The time has come for Turkey to take the first step. In the face of international concern about widespread and persistent human rights abuses within Turkey, the Cyprus issue presents Turkey with an opportunity to improve its tarnished reputation among the nations of the world. It's time for Turkey to seize the opportunity. Failure to do so would jeopardize United States military assistance to Turkey and further undermine Turkey's status in the international community.

Mr. BILIRAKIS. Mr. Speaker, I thank the gentleman for his willingness to participate in this special order. The gentleman has been one of the leaders, along with a number of other Members who will participate here today.

Mr. Speaker, I might add that I have a long list here of participants, Members who will participate personally this evening, and others who are submitting their remarks into the RECORD. I know there are many other Members that I do not even know about who will be doing the same thing. I think it speaks for itself in terms of the interest in the Congress of the United States on the need, the strong need, to resolve this issue.

Mr. Speaker, I add for the RECORD a New York Times op-ed from Saturday, July 20, 1991.

[From the New York Times, July 20, 1991]

A CHANCE FOR PEACE IN CYPRUS

(By Edward F. Feighan)

WASHINGTON.—Tuesday's car bombings in Athens, which wounded the Turkish Ambassador to Greece, illustrated the continuing strife between the two countries. Two days later, President Bush told the Greek Parliament, "None of us should accept the status quo in Cyprus." To reach a settlement, he should live by his words and risk fraying his excellent relationship with Turkey's President, Turgut Ozal.

Mr. Bush has several reasons to get involved in Turkey's 17-year-old occupation of the northern third of Cyprus. The most dramatic is to avert the possibility of full-scale hostilities between two NATO allies. Greece and Turkey almost went to war in 1974 and 1987. The eruption of the Cyprus conflict could destabilize a region that sits uneasily between the Middle East and Balkans.

Fortunately, compared to other regional conflicts, the Cypriot situation appears solvable. The Greek Cypriot President, George Vassiliou, has promoted a reasonable settlement in which Turkish Cypriots (18 percent of the population) would enjoy greater political power than their numbers would warrant. In exchange, Mr. Vassiliou wants freedom for all Cypriots to move freely and hold property throughout the island.

However, the Turkish Cypriot leader, Rauf Denktash, appears content to be "president" of a state recognized only by Turkey rather than vice president of a republic representing all Cypriots, and has consistently rejected Mr. Vassiliou's offers. Mr Denktash's intransigence indicates that the key to a solution lies not on the island but in Ankara.

His regime depends on the 35,000 Turkish troops that maintain the "green line" that divide Cyprus—troops financed partly by $500 million in military aid the U.S. gives Turkey every year. President Bush should indicate to President Ozal that this aid can no longer be justified as support for a bulwark against Soviet expansionism. Turkey's dependence on America cannot be underestimated; Mr. Bush can make it clear that this money is conditional.

President Bush has a carrot as well as a stick for the Turks. In 1984, Congress approved legislation creating a $250 million reconstruction fund that would become available upon a settlement of the division. In the absence of negotiations, the money has not been appropriated. Mr. Bush could guarantee that, in exchange for concessions prompted by Mr. Ozal, some of the money would be used to reimburse Turkish Cypriots forced to return property they now occupy to its original Greek Cypriot owners.

Turkey's satisfaction with the status quo is puzzling, for Ankara pays a high political cost for its occupation of Cyprus. Its actions have been condemned by the U.N. Security Council. Congress, angered by the occupation and eager to maintain peace, gives Greece $7 for every $10 in military aid it gives Turkey. Perhaps of greater importance, the European Community has made it clear that without a resolution of the Cyprus problem, Turkey's application to join the Community will remain on hold.

American stature in world politics can also get a boost from a resolution of the problem. For 17 years, the U.S. has been unwilling to actively enforce U.N. condemnations on Cyprus in order not to strain relations with NATO-member Turkey. In the wake of the gulf war, this apparent double standard hurts U.S. credibility as a peace-keeper. This is a chance for President Bush to resolve another

illegal occupation without resorting to warfare.

Mr. Speaker, I am very proud to yield to the gentleman from New Jersey [Mr. PALLONE].

Mr. PALLONE. Mr. Speaker, I want to thank the gentleman from Florida [Mr. BILIRAKIS] for organizing this special order, which I think is very appropriate at this particular time.

Mr. Speaker, I join my colleagues today to remind us all of a sad moment in history; indeed, a moment which sounds all too familar in today's troubled world. In the fall of 1974, Turkish troops moved on Cyprus, killing thousands of villagers, and displacing thousands more. The invasion on tiny Cyprus by large, belligerent Turkey resulted in the permanent disappearance of over 1,600 persons, including 5 Americans.

Although a series of initiatives have occurred over the 17 years since Turkey's invasion of Cyprus, no tangible results have been gained. Turkish intransigence over Cyprus has left us with a dangerous precedent—that brutal invasions and denials of human rights can go uncorrected for decades. This is not the precedent on which a unified and peaceful European Community can be built, nor on which a new world order can be gained.

Although Turkey contributed to allied efforts in Operation Desert Storm, and although Turkey is making an international advertising pitch for investment in that country, these efforts at gaining respect cannot be considered apart from Turkey's refusal to adhere to nearly 50 U.N. resolutions on Cyprus.

Today, Turkey owes Cyprus, owes Europe, and owes the world community at least two things—a guarantee of property and human rights to Greek-Cypriots displaced by the 1974 attack, and the initiation of withdrawal of troops from Cyprus.

Mr. Speaker, we are at a very important point in history. Europe is experiencing both great advances, and great troubles. I urge the President to make a resolution of the Cyprus crisis a high priority. Now I think is the opportunity to resolve this crisis, so that Cyprus can resume its place among the free and independent nations of the world.

Mr. Speaker, I, too, am optimistic this is the time when we can see some tangible results.

Mr. BILIRAKIS. Mr. Speaker, the gentleman from New Jersey [Mr. PALLONE] is a relatively new Member of this body, but not to the world of politics. He is very welcome here, and I appreciate his interest in this subject.

Mr. Speaker, I yield to the gentlewoman from Maryland [Mrs. BENTLEY], who, too, has been a fantastic leader on this subject, and other subjects related thereto.

Mrs. BENTLEY. Mr. Speaker, I wish to commend Mr. BILIRAKIS, the distinguished gentleman from Florida, for his efforts in bringing forth the story of Cyprus in an effort to unify that island nation.

Once again, headlines around the world are focusing on the possibility of a heretofore unachievable Middle East peace conference. I want to be on record as fully supporting the tireless efforts of the President and his Secretary of State in furthering the dialog in this longstanding dispute, the resolution of which, continues to be of paramount importance to the civilized world.

I also want to be on record as voicing my support for all efforts aimed at bringing and lingering issue of Cyprus to a favorable conclusion. A favorable conclusion, Mr. Speaker, would involve the withdrawal of Turkish forces from Cyprus, which, as everyone gathered in this Chamber today knows, was occupied 17 years ago, on July 20, 1974.

Two weeks ago, just prior to the President's departure for Greece and Turkey, Mr. BILIRAKIS and I, sent a letter to President Bush in which we outlined our continued concern about the Cyprus question. We asked him, in the strongest of terms, to urge Turkish President Ozal to increase diplomatic activity toward reaching a negotiated settlement concerning the unresolved issue of Cyprus. Preliminary indications are that the issue was discussed and will continue to receive serious attention.

Everyone in this country is aware of the pivotal role that Turkey played during Operations Desert Shield and Storm—clearly this will not be forgotten by the American people. And we must not overlook the fact that Greece made substantial contributions as well. President Bush thanked Greece personally on his recent trip. However, as we enter into a new era whereby the rule of law is to be the cornerstone of the new world order, the fact remains that Turkish troops continue—despite condemnation from the United Nations—to occupy 40 percent of the island of Cyprus.

President Bush is to be commended for raising the issue of Cyprus during his recent visit to Turkey. During a scheduled news conference, the President floated the possibility of elevating the level of discussion through initiating a four-party peace conference. Sparks, quite naturally, already have begun to fly.

Yesterday, representatives of the Greek Cypriot Government stated their firm opposition to talks based on number of reasons, not the least of which is drug trafficking in Turkish occupied Cyprus. There have been allegations, and I stress the word allegations, that shipments of ballistic missiles originating in North Korea and the People's Republic of China—and destined for the Middle East actually may have passed through some portion of Cyprus. The bottom line is that despite the apparent level of animosity and seemingly intractable differences—a peaceful solution must occur. My fear is that concrete opportunities for the principles to sit down within the confines of the same room, could again slip away.

It is my hope that the President will continue to use the persuasive powers of his office and as the leader of the free world to help remedy this longstanding situation. Let's find a workable solution.

Again I commend the gentleman from Florida for his time—and his leadership on this important problem.

□ 1820

Again I want to commend the gentleman from Florida [Mr. BILIRAKIS] for bringing this matter up on the anniversary or the anniversary period of the troops occupying Cyprus.

Mr. BILIRAKIS. I thank the gentlewoman from Maryland [Mrs. BENTLEY], who has been a forceful legislator, a great Representative of her part of Maryland, and a great friend of mine, and certainly a person that I would always want on my side no matter what the issue might be.

Mr. Speaker, again, before continuing my remarks, I yield to the gentleman from Illinois [Mr. PORTER], who has visited Cyprus I know at least once, possibly more often, and can talk about it from the heart as a result of actually having been there and seen some of the problems that exist.

Mr. PORTER. I thank the gentleman from Florida not only for yielding me time to participate in this special order, but also for his ongoing and forceful leadership in behalf of the reunification of Cyprus. And it has been truly forceful and ongoing, and someday I hope, Mr. Speaker, will culminate in the actual reunification of the island and the bringing together of the people of Cyprus once again.

Mr. Speaker, for the last 17 years July 20 has been a sad day throughout Cyprus, for on July 20, 1974, the armies of Turkey invaded the tiny island, divided the two communities, and occupied 38 percent of the land, driving 160,000 Greek-Cypriots from their homes. Today, 35,000 armed Turkish troops stand guard over the northern portion of the island—a constant reminder of the grim invasion and an unacceptable obstacle to reunification.

My wife, Kathryn, and I first visited Cyprus in 1981, and were struck with the natural beauty of the island, the cultural wealth we saw, and the warmth of the Cypriot people. Since that time we have returned several times and experienced the same feeling of friendliness and warmth. But a cloud hangs over the island in the form of an artificial separation. I have spent a great deal of time since my first visit to the island in 1981, trying to remove this cloud and bring all of the people of Cyprus together again.

Kathryn has become so involved in this issue that she joined together with a brave and determined group of Greek Cypriot women in support of the Women's Walk Home Movement. The movement was created to focus international attention on the Cyprus dilemma through the use of nonviolent political protest.

Kathryn participated in one of the group's marches and crossed the green line which splits the island. Shortly after they crossed the border they were surrounded by a group of Turkish military personnel. In true nonviolent manner they sat down and were subsequently removed back across the line by a U.N. peacekeeping force. Kathryn later helped found the Cypriot Women's Foundation. The foundation's goal is to channel the energies of women on both sides of the green line into bicommunal, interactive projects involving mothers and children. Such efforts offer a new vision for the society Cyprus can become.

The Foreign Operations Subcommittee, of which I am a member, has been working for the past several years to bring elements of the Greek and Turkish Cypriot communities into direct, personal contact through cooperative activities. This year the House has again approved $15 million for bicommunal projects that will bring together the two communities. This approach is especially important since the enforced separation of the two communities has lasted for so many years. There is a whole generation of Greek-Cypriot and Turkish-Cypriot youth who have never been to the other side of the island and who have never known a person from the other community. Such a situation is bound to produce distrust and misunderstanding. Bicommunal interaction, especially interaction between the women and children of Cyprus, is essential to the successful reunification of the island.

One issue that I want to particularly emphasize today regarding Cyprus is the plight of the disappeared. To many non-Cypriots it is difficult to understand the deep distrust between the two communities on the island of Cyprus. The issue of the disappeared may help to shed some light on what happened 17 years ago and some of the issues that are still very much alive in the minds and hearts of all Cypriots.

As Turkish troops moved southward after their invasion of the island, they imprisoned members of the national guard and arrested civilians in many villages. Many of these individuals were returned in accordance with an exchange agreement reached on July 20, 1974, between Greek and Turkish Cypriots. Although the exchange was monitored by the International Red Cross, 992 Greek-Cypriot soldiers and 662 Greek-Cypriot civilians, of whom 12 were women, were unaccounted for. Some were last seen in the custody of the Turkish Army. No information whatsoever exists for others.

To give you a point of reference, at the end of the Vietnam war, the United States reported 2,583 military personnel missing out of the entire United States population of over 200 million. The total population of the island of Cyprus—Greek-Cypriots and Turkish-Cypriots combined—is just over 600,000. The 1,618 disappeared represent an incredibly high proportional number compared to the POW/MIA dilemma that faces the United States. By some accounts, one in every 250 Greek-Cypriots disappeared in the month of July 1974.

Despite the relatively small number of POW/MIA's remaining from the Vietnam war, United States interest in its POW/MIA's remains very high. The recent publication of a photograph purporting to prove that several United States servicemen who are presently classified missing in action in Vietnam are still alive was first page news here in the United States for several days and is the subject of congressional hearings and Department of Defense investigations.

Just imagine the level of interest that the Greek-Cypriots—who live on an island no more than three times the size of Rhode Island and where you are never more than 150 miles away from anyone else on the island—feel about their missing. The families of the missing continue to suffer the uncertainty of their relatives' fate, hoping that at least some may still be alive, perhaps only a dozen miles to the north. Just as in the United States, hope is periodically reinforced by reported sightings of the missing.

The plight of the missing is an open wound for many Cypriots and the desire to know the fate of the disappeared is one of the many reasons the Greek-Cypriots are anxious to solve the Cyprus dilemma and reunify the island and have been so forthcoming in negotiations with the Turkish-Cypriots.

Mr. Speaker, I applaud the President's renewed interest in the Cyprus problem and his stated intention of elevating the resolution of the Cyprus dilemma in the broader context of United States-Turkish and United States-Greek relations. I am also pleased that Secretary General Perez de Cuellar has dedicated himself so fully to resolution of this problem. I would like to add my support and urge that resolving the status of the missing of Cyrus be a part of any agreement on reunification.

Mr. Speaker, I thank Mr. BILIRAKIS for calling this special order. He has been an outspoken and eloquent friend of Cyprus and a strong advocate for the concerns of the Cypriot community here in the United States. I am pleased to follow his leadership and work with him actively to achieve a reunited Cypriot nation.

Mr. BILIRAKIS. I sincerely thank the gentleman from Illinois [Mr. PORTER], who as I said before his remarks would speak from the heart, and he certainly has done that. He speaks from the heart and from love for the people in that area, and from experience, having visited that area, and I appreciate very much his being a strong part of this special order.

Mr. PORTER. I thank the gentleman for his very generous and kind remarks.

Mr. BILIRAKIS. Mr. Speaker, again at this point before continuing my remarks, I yield to a fellow Hellenic-American with whom I am proud to serve in the Congress of the United States, the gentleman from Massachusetts [Mr. MAVROULES], certainly one of the finest gentlemen here, one of the most loved Members of the U.S. House of Representatives.

Mr. MAVROULES. I very much thank the gentleman from Florida [Mr. BILIRAKIS], my good friend and colleague, and again thank him for his kind remarks. But also let me commend him for the leadership role that he has displayed on this issue year in and year out.

Mr. Speaker, I rise today to express my concerns over the problems in Cyprus, and to state my strong desire to see a resolution to the ongoing dispute that has torn this island nation.

First I would like to commend President Bush for his trip to Greece and Turkey, in which he initiated conversation on the Cyprus occupation. We in the U.S. Government are long overdue in fully addressing this issue. The President's willingness to focus international attention on this subject can only lead to enhanced dialog and a hopeful resolution to the problems plaguing this nation.

Let us look at recent developments in Cyprus to get a better feel for where the problems lie.

On June 8, 1991, the Cyprus National Council proposed that the U.N. Secretary-General convene a conference "to discuss and solve all the basic aspects of the Cyprus problem." This conference would be chaired by the Secretary-General and include "the participation of the governments of the permanent members of the Security Council, Greece, Turkey, and Cyprus, in which the two Cyprus communities would be invited to participate". The National Council stated that a Cyprus solution should be consistent with the U.N. resolutions on Cyprus, and with the 1977 and 1979 high-level agreements reached between the two Cypriot communities, and that a conference should be convened only "after appropriate preparation to make sure that there will be real possibilities for progress."

This conference proposal falls within the framework of the U.N. resolutions on Cyprus. As many of you know, on March 13, 1990, the United Nations

passed resolutions callings for a Federal solution to the problem, a bicommunal approach to drafting a new constitution, and a bicommunal approach for resolving territorial disputes. President Vassiliou has since then been in contact with U.N. Secretary-General Javier Perez de Cuellar and the ambassadors to Cyprus of the five permanent Security Council members in an effort to try to develop a solution to this problem.

Turkey rejected the conference proposal the day after it was released.

Unfortunately, this recent development has been typical of the attempts to solve the Cyprus problem. Cyprus has consistently shown a desire to resolve the dispute, either by agreeing to U.N. resolutions or by initiating proposals for unification. Turkey, on the other hand, has resisted, and continues to resist, requests from the United Nations, the European Community, and the United States merely to clarify its views on the issues of territorial concessions, the status of displaced persons, and the structure of the Federal Government. They have failed to say even where they stand on these matters.

Turkey must see that it is in its own best interest to work for a solution. By not doing so, it is losing support on the international scene, and even the United States, one of its biggest allies, is pressing Turkey to negotiate. Greece will never concede to allow Turkey to enter the European Community if they do not settle the Cyprus dispute. Greece has also vetoed a European Community proposal to give $800 million in aid to Turkey. If Turkey agreed to negotiate, these situations could be reversed in its favor.

The Persian Gulf war has issued in a new era of international cooperation. Nations throughout the world successfully joined ranks to force the Iraqis out of Kuwait. Now it is time that the world focus on the problems in Cyprus. We did not tolerate the use of force to conquer an independent, legitimate, sovereign nation in the Persian Gulf. How can we still tolerate such unwarranted aggression in Cyprus, where Turkey still maintains 35,000 troops in an area that they acquired through military force?

The United States now has an unprecedented opportunity to help resolve the conflict in Cyprus. The unanimity that Greece and Turkey demonstrated throughout the Persian Gulf war must be utilized to bring about a peaceful solution. With U.S. resolve and U.N. initiation, we have the capacity to provide the diplomatic and political leadership necessary to resolve the conflict. All we are looking for, my friends, is a level playing field—where all sides involved can be convinced to sit down and peacefully, diplomatically work to resolve their differences.

The President and the U.S. Congress can, without a doubt, lead the way toward a solution. Since the invasion in 1974, Congress has used its leverage to try to help resolve the Cyprus problem. It has advocated more active American involvement in Cyprus efforts, favoring measures that maintain pressure on Turkey to reconsider its military presence. The 7:10 aid ratio has been an integral part of this effort. Now is the time for us to continue to work for a resolution, to continue to push for a peaceful dialog between the competing interests, and in doing so to show the world that we are in fact able to lead the way toward a new world order.

□ 1830

One other last statement I would make, Mr. Speaker, and I think my colleagues share this thought with me, that the Turkish Cypriots are now beginning to lose their own identity. Over 60,000 Turks have moved into northern Cyprus from the mainland, taken over from their own Turkish Cypriot people in Cyprus; 35,000 troops, 35,000 troops in northern Cyprus, and for what reason? What security reason? What security fears do they have to maintain 35,000 troops in northern Cyprus?

Mr. Speaker, this is wrong, and that is why I believe that where the united effort on the part of our Government, our President, our Congress in concert with the United Nations to put the proper pressure on Turkey to get to that negotiating table to once and for all do what is right, do what is right for the Cypriot nation, both Turkish Cypriots and Greek Cypriots alike.

Again I want to thank my good friend from Florida for his leadership in this effort and thank him for the time this evening.

Mr. BILIRAKIS. Mr. Speaker, I thank the gentleman from Massachusetts [Mr. MAVROULES] for his leadership all through the years long before I got to this Congress on this issue and other Greek-related issues, if you will, and issues, again, of justice and fairness and truth and the rule of law, if you will.

The gentleman's points are certainly well taken, and particularly his last point. What conceivable reason could there be for the country of Turkey to have 35,000 troops stationed in the northern portion of the island Republic of Cyprus? There just is not any reason.

I would be very interested in hearing the gentleman's explanations for something like that. I thank him so much.

Mr. Speaker, President Bush, as we know, has just returned from a visit to both Greece and Turkey, and I, along with many others, find myself cautiously optimistic in view of what transpired, optimistic because of the President's challenge to achieve a resolution by the end of the year, cautious because so many past initiatives have come to naught.

This time, my friends, and I say my friends in the Congress, I say my President, I say people in the Governments of Greece, Turkey, and the Republic of Cyprus, it is crucial that we seize upon this moment in history, while, in essence, the President urges both Greece and Turkey to reach a settlement in the Cyprus situation by the end of 1991. Never before, never before has such a challenge been offered.

□ 1640

I applaud the President's efforts to bring peace to this corner of the eastern Mediterranean.

However, it is important that any talks be held under the auspices of the United Nations—as proposed by the U.N. Secretary-General. There is a light glimmering in the darkness that shrouds Cyprus, but to ensure a successful and peaceful resolution, we need continued pressure from the United States and our friends abroad.

Direct talks outside of the United Nations that would lend legitimacy to the Turkish Cypriot authorities are unacceptable to both Greece and Greek Cypriots. As pointed out in an article on page 8A of today's Washington Times, Turkish Government authorities themselves admit to "shady interests in the Turkish portion—of Cyprus—including a lucrative trade in opium and other drugs * * *." Also, the Turkish Cypriot authorities have appropriated property and shown they have little respect for the sovereignty of law. There is a light glimmering in the darkness that shrouds Cyprus, but to ensure a successful and peaceful resolution, we need continued pressure from the United States and our friends abroad.

As this new decade has dawned and country after country has shaken free of the shackles of occupation and oppression, Cyprus remains bound. The green line divides not only a nation but a people.

While Turkey is to be commended for its role connected with Operation Desert Storm, a negotiated settlement of the Cyprus division remains elusive—and in view of the President's trip, the coming days and weeks will be important ones. They will be important for Cyprus; they can be gratifying for all who love and cherish freedom.

It is surely in Turkey's best interest to resolve this problem expeditiously. In fact, Turkey's intransigence is one more stumbling block keeping her from becoming an accepted part of the European Community. While Turkey has other problems to solve in this regard, the EC has made it clear that membership is contingent upon resolution of the Cyprus problem. Many are now saying that several eastern European countries such as Poland, Hungary, and Czechoslovakia may be ad-

mitted to the European Community before Turkey, despite the fact that Turkey has been waiting in line for admission the longest. In addition, Cyprus continues to be a major source of friction between NATO allies.

Over the past year, we here in Congress have compared the green line in Cyprus to the Berlin Wall that divided Germany for more than 40 years. But what does this really mean? What is the effect of the green line? It divides 650,000 Greek Cypriots in the south from 175,000 Turkish Cypriots in the North. This division means that Cypriots are prohibited from visiting their brothers, sisters, mothers, and fathers.

We applaud Germany's reunification following the destruction of the Berlin Wall, and we look to the future of Eastern Europe with anticipation, the barbed wire fences having been torn down, travel restrictions eased and democratic reforms begun. These once-captive nations are now free of the grip of totalitarianism.

Yet our own NATO ally, Turkey, to whom we have given hundreds of millions of dollars of aid, continues to occupy nearly 40 percent of Cyprus. One Western nation occupies another: This cannot continue.

Mr. Speaker, 200,000 men, women, and children were forcibly expelled from occupied Cyprus. They are now refugees—a people without a home. These refugees have been living through a 17-year darkness.

Cypriot resolve is daily tested by the effects of this long and terrible invasion and occupation. Freedom is sweeping the globe, yet Cyprus remains a dark and unswept corner.

Turkey continues its illegal occupation of northern Cyprus—one recognized by no other government on Earth. Turkey continues to station more than 30,000 troops there and to maintain some 65,000 settlers on Cyprus. Frequent incidents and disputes scar the populace.

Cyprus is the only, let me repeat the only, country in Europe with 37 percent of its land under the occupation of an invading force; 1,600 individuals remain missing. Furthermore, Turkey continues to change the demography of Cyprus by transplanting Turkish settlers there. In the near future, the settlers and the occupying troops will outnumber the indigenous Turkish Cypriot population—and with each passing day the tension on the island grows.

Mr. DANNEMEYER. Mr. Speaker, will the gentleman yield?

Mr. BILIRAKIS. Mr. Speaker, before I continue with my remarks, I am happy to yield to the gentleman from California [Mr. DANNEMEYER], who has professed a great interest in the subject.

Mr. DANNEMEYER. Mr. Speaker, I thank my colleague, the gentleman from Florida [Mr. BILIRAKIS] for yielding. I want to thank the gentleman for taking this special order.

I am here joining the gentleman in this effort because I have a constituent in Orange County, CA, who comes from a family of Greek background. For a long time they have owned a property on Cyprus. They had the unfortunate experience of having that property—their home place in the territory that is not a part of that portion of Cyprus—administered by this new government of Turkish background, that is not recognized by the United States Government.

To be frank, I have met with the Turkish Ambassador to the United States, trying to resolve this problem. I have written to this so-called government that exists on Cyprus, attempting to resolve, just to begin negotiating the rights of this American citizen to the family place on Cyprus. I am tempted to send a postal inspector to see if that government in Cyprus is still in business because nobody is answering my mail. The gentleman and I both suspect and know what the answer is, that they do not want to answer my mail.

We cannot solve the problems of Cyprus and the antagonisms that have existed over the years and decades and centuries, really, on that island. However, I think as American citizens we say that there should be a means of resolving conflicts of this type. I am hopeful that the Turkish Government, which claims no accountability for this Turkish Government that has come to existence on Cyprus, can use its good offices to help in that regard.

I would hope that the U.S. State Department can use its negotiating stance in that region of the world to, hopefully reconcile conflicting claims.

It has always been amazing to me that the vast majority of people on Cyprus are of Greek background, not Turkish background, and those differences exist. For all to stand here this evening and try to paper over them is not common sense. If we have learned anything in our experience here in the Congress of the United States, it is that when these irreconcilable differences exist, short of war, and I hope it never comes to that, there has to be some means of resolving them.

I am happy to join the gentleman today in saying that this Member of Congress believes we should use all the pressure the United States Government can bring to bear in order that the legitimate claims of those United States citizens with respect to property in Cyprus can be resolved.

Mr. BILIRAKIS. Mr. Speaker, I thank the gentleman for taking time at this late hour to come all the way over here in joining in this special order. The gentleman's remarks were not prepared remarks. They came from the heart, from the head. I know the gentleman to be a great patriot who cares about American security, and for freedom throughout the world, and would like to see these two nations friendly to the United States and friendly to the free world, get together. Again, I thank the gentleman from California [Mr. DANNEMEYER] for participating in this special order.

Greece and Turkey both can be valued and valuable United States allies, and trading partners in a region of growing significance. Is resolution of the Cyprus problem too much to ask to bring an end to long, bitter and sometimes hostile conflict, and to secure peace and stability in the region? I say no, Mr. Speaker. We here in Congress must do our utmost to see an end to the division of Cyprus. Like the Berlin Wall, the Nicosia Wall must fall as well.

Cyprus has remained a friend to the United States throughout the years and we should recognize her loyalty. The Persian Gulf war is a perfect example. Cyprus immediately supported the American condemnation of the Iraqi invasion of Kuwait and supported all of the U.N. resolutions on Iraq.

During Operations Desert Shield and Desert Storm, Cyprus authorized military overflight of its territory, as well as use of Cypriot air bases by American and coalition aircraft. The British bases on the island provided support for the British and allied forces from August 2, the end of the war. Indeed, I applaud the contribution of Cyprus to coalition efforts to expel Saddam Hussein's forces from Kuwait.

It took the point of a gun to ensure freedom from oppression this time, Mr. Speaker. Next time it may not because of the willingness of this coalition of nations to stand firm in defense of the rule of law. Another would-be oppressor at another time may not be so quick to undertake hostilities knowing the value the international community places on freedom.

Operation Desert Storm was but the latest proof of the United States' long history of support for foreign nations faced with the threat of losing their independence. Because of our allies' assistance, we are in a position to help other struggling nations preserve their freedom and home rule. We are especially well-situated to aid countries such as Cyprus, countries committed to freedom and democracy, yet which remain under oppressive rule. Indeed, while Kuwait is now free, Cyprus remains an occupied country.

Let us be consistent in our support of freedom, democracy, and the sovereignty of national borders, Mr. Speaker. We stood up for these principles in the Persian Gulf, and we should stand up for them on Cyprus as well.

We must stand up for them before Cyprus loses its identity.

Cyprus has seen a rape of its culture, a pillaging of its antiquities. Churches have been plundered and ransacked; beautiful frescos have been stripped off

the walls of these religious institutions, including the famous Church of Antiphonitis. Other churches have been converted into mosques and still more have been turned into cinemas and recreational centers. What Cypriots have witnessed is the intentional destruction and pillaging of their cultural heritage.

Many archeological sites have been plundered and irreplaceable artifacts have been either destroyed or sold off. Foreign markets have been flooded with important artifacts since the invasion. Historical sites—some dating back to 500 B.C.—were damaged during the invasion and hostilities that followed. While important historical buildings often are the unintended casualties of war, I understand that some sites were bombed needlessly. Still other sites were vandalized by Turkish forces. In his article, "Cyprus: The Loss of a Cultural Heritage," Michael Jansen tells of how the artifacts found by teams of archaeologists were thrown into the streets and trampled underfoot.

Mr. Speaker, we must end the occupation of this island nation before all traces of Cypriot culture and history are trampled underfoot. Indeed, we must take up the President's challenge and work for a settlement of this conflict within the year.

We in the Congress have a responsibility to use our influence to see Cyprus made whole again, to rescue the thousands of Greek-Cypriots who have become refugees in the land of their birth. Like those faithful Cypriots in my district and elsewhere, we must do our utmost in this cause.

As the President noted, none of us should be satisfied with the status quo on Cyprus. This problem does not belong on the back burner. It belongs out in front and it should be resolved once and for all. I am committed to seeing that the occupation remains fresh in our minds. I am committed to seeing that none of us forget the brutalities, the plunder, the violations of U.N. resolutions and international law.

Thus, I commend the President for his words in Athens and I urge the administration to help bring to an end this illegal occupation. We do not wish to observe another painful July 20. Instead, let us celebrate a new independence day for the Republic of Cyprus.

With the support of the American people, the European community and, for that matter, the world community, we can solve this problem that divides a nation and a people.

Mr. BROOMFIELD. Mr. Speaker, I commend Congressmen MIKE BILIRAKIS and ED FEIGHAN for their work on this special order and for their commitment to the cause of justice on Cyprus. It is regrettable that this institution once again marks the anniversary of that tragic incident, the invasion of a sovereign nation on July 20, 1974. It is particularly difficult to remember this sad occasion during a period of great change in the world—a world that is giving so much hope to mankind.

In the past few years, democracy and freedom have come to Eastern Europe and major changes have occurred in the Soviet Union. All around the world, the promises of democracy are being fulfilled, and people who could only imagine the fruits of liberty a few years ago are now living in freedom. Former enemies are becoming friends. Problems are being solved not through the barrel of a gun, but through diplomacy. Wrongs are being righted and justice is prevailing.

Changes, however, have not yet come to Cyprus. The green line that separates the two communities on that island is still there. Unlike the Berlin Wall, it has not come down. Thirty thousand well-armed Turkish soldiers are still in the north of the island. They have not gone home. The 200,000 refugees who were displaced during the invasion have not returned to their ancestral homes. The 60,000 Turks who were brought from Turkey to settle in the north are still there. They have not gone home. There are 1,619 missing people, including 5 Americans. They have not returned to their loved ones. Rauf Denktash, the leader of the Turkish Cypriot community, still talks of peace on that island. But in his heart, he still opposes real change. Today, there is darkness in a sunny land.

In spite of these distressing facts, there is reason to be hopeful. For the first time in many years, the executive branch is giving the Cyprus problem the attention that it deserves. The administration has committed itself to making progress on the Cyprus issue. I welcome this prudent and timely decision. President Bush recently met with Prime Minister Mitsotakis in Greece and President Ozal in Turkey. Let us hope that they reached an understanding that can lead to a U.N. conference involving the parties to the dispute and others. Although much work remains to be done before the conference can be scheduled, I am hopeful that the main players will be forthcoming, flexible, and willing to negotiate. We all know that there is one country in the region that exerts tremendous influence on the question of Cyprus. Turkey holds the key to a solution of that complex problem.

As the occupying power on Cyprus, as a major financial supporter of Mr. Denktash, and as the only nation that recognizes northern Cyprus, Turkey wields significant influence in shaping the political landscape of the eastern Mediterranean. Over the years, our Government has been reluctant to ressure Turkey. We did not want to offend an ally that shared a long border with the Soviets and gave our country military base rights. For too long, we have been generous with a nation that has refused to fully commit itself to helping us settle this international dispute.

During the past 20 years, we have given Turkey billions of dollars. In fiscal year 1991, our Government allocated $553.7 million to Turkey and requested $703.9 million for fiscal year 1992. During a period of reduced tensions in Europe, such high levels of military assistance are clearly unwarranted. Although Turkey was a loyal partner during the recent gulf crisis, it has been well rewarded for its efforts. Where I come from, friends help friends. Is Turkey behaving like a friend? Why should the American taxpayer continue to provide the third largest package of United States assistance to a country that does so little to promote peace on Cyprus? Our European allies understand the dynamics of the Cyprus situation better than we do. The EC has told Turkey that the Cyprus question must be resolved before they will talk seriously with Ankara about a variety of issues, including membership in the EC. It is time for Turkish officials to rethink their policy regarding Cyprus.

Needless to say, I am delighted to say that President Bush and Secretary Baker are giving the Cyprus problem the attention that it justly deserves. I trust that President Ozal has had a change of heart and has told President Bush that Ankara truly wants to find peace on Cyprus. I hope that Mr. Ozal will use his considerable influence in future meetings with Mr. Denktash to promote the cause of peace. I am confident that enough diplomatic headway will be made in the next months to warrant the convening of a conference at the United Nations in September. Should a resolution of that longstanding dispute be found, this may be the last special order that we offer on the Cyprus problem. It is time to put this problem behind us.

Mr. YATRON. Mr. Speaker, I rise in support of the special order on Cyprus sponsored by my colleagues Representatives EDWARD FEIGHAN, MIKE BILIRAKIS, and HELEN BENTLEY. I commend them for their ongoing leadership in focusing much needed international attention on the dispute in Cyprus.

For too long Cyprus has been relegated to the backburner of United States foreign policy. Successive administrations have tended to ignore this idyllic island nation in the Mediterranean, notwithstanding the fact that Turkish forces, using United States military hardware, invaded Cyprus in 1974, occupying approximately 36 percent of the country.

After 17 years of occupation and division, the prospects for a just and lasting settlement on Cyprus appear to be better now than ever before. The United Nations, working in concert with officials from the Department of State, is piecing together an outline proposal which could lay the groundwork for achieving a negotiated settlement on Cyprus. The outline is expected to be finalized by this fall at which time the United Nations hopes to convene a meeting that would include the leaders of the Governments of Greece and Turkey, the President of the Republic of Cyprus, George Vassiliou, and the leader of the Turkish Cypriot community, Rauf Denktash.

Mr. Speaker, we should temper any optimism about a settlement by keeping in mind that Turkish intransigence doomed past U.N. efforts on Cyprus. What sets the positive tone for the current U.N. initiative is the apparent personal commitment on the part of President Bush to promote a durable settlement.

If the United Nations succeeds in establishing a negotiating procedure which will lead to a peaceful settlement, all parties to the dispute stand to benefit. But the Bush administration at the highest levels must remain focused on resolving this conflict.

With so many regional conflicts either resolved or close to resolution, there is no reason to delay a settlement on Cyprus any longer. The time for an agreement is now.

Mr. FAZIO. Mr. Speaker, on July 20, the Republic of Cyprus marked the 17th year of its occupation and division. I join my colleagues today in this special order to recognize this solemn anniversary, as well as the need for an end to the turmoil and conflict under which Cypriots currently live.

Thirty-one years ago, the island of Cyprus gained its independence from Great Britain; however, for 17 years, the northern part of the island has been under the grip of foreign occupation. When Turkish troops invaded Cyprus, 200,000 Greek Cypriots were driven from their homes, deprived of their possessions, and reduced to refugee status in their own land. Since the invasion, the island has been marked with violence and bloodshed.

Over the years, there has been an influx of approximately 65,000 settlers from mainland Turkey. In addition, 35,000 Turkish troops occupy 40 percent of the tiny island nation. The demographic and cultural character of the island has been drastically affected by this occupation. More recently, the president of the Turkish Cypriot state publicly invited Turks fleeing from Bulgaria to settle in Cyprus and become Turkish Republic of Northern Cyprus citizens. Although the influx never transpired, this incident is an example of how dangerously close Cyprus has come to losing what little cultural, social, and historical identity it struggles to hold on to.

With the dramatic events that have taken place in Eastern Europe, including the dismantling of the Berlin Wall, there is a greater need than ever to dissolve the green line that divides Cyprus, as the Wall formerly divided East and West Germany. However, settlement must allow the island nation to retain its cultural, social, and historical identity.

Today, I am once again urging the administration to take a more active approach both to a negotiated peace on Cyprus and for the reunification of this Mediterranean nation which has been our faithful ally over the course of its history. In the aftermath of the gulf war, this double standard hurts our Nation's credibility as a peacekeeper. It is important that we reaffirm our commitment to establishing a genuine and lasting peace in Cyprus—a peace that is achieved through meaningful negotiations and that is based on United Nations Security Council resolutions.

Mr. Speaker, I would like to close my remarks by commending the distinguished gentleman from Ohio [Mr. FEIGHAN]; the distinguished gentlewoman from Maryland [Mrs. BENTLEY]; and the distinguished gentleman from Florida [Mr. BILIRAKIS] for calling this special order. I also thank my other colleagues for their participation today.

Mr. ANNUNZIO. Mr. Speaker, earlier this year, President Bush said we were justified in waging a war against Iraq because of that country's invasion of Kuwait. To help carry this policy forward, Mr. Bush assembled a coalition of Western and Middle Eastern governments. He also obtained the approval of the United Nation's Security Council to legitimize his actions.

Now, in the aftermath of that war, President Bush has recently met with several foreign leaders, including Turgut Ozal of Turkey. During his meeting with Mr. Ozal, I hope President Bush reminded the Turkish leader of the similarity between the recent battle for Kuwaiti sovereignty and the need to resolve the crisis of divided Cyprus. Since 1974, thousands of Greek Cypriots have endured the illegal occupation of nearly a third of their country by Turkish troops. That force now numbers almost 30,000 soldiers who are stationed in the northern part of the island. The invasion began after a coup attempt in Cyprus was launched with support from the military junta that then ruled Greece.

Mr. Speaker, It's not hard to see the similarities between the invasions of Kuwait and Cyprus. If President Bush can justify risking the lives of American troops to defend Kuwait's right to self-determination, the least he can do is make a determined effort to get the Turks to accept a compromise plan that will end the division of Cyprus.

President Bush has the support of the United Nations Security Council on the Cyprus issue, just as he did in Kuwait. The Security Council has repeatedly called for a settlement of the Cyprus dispute and a withdrawal of Turkish troops. Most recently, a report from the Secretary General has called for an international conference to resolve this crisis.

I hope that this week, which marks the 17th anniversary of the invasion of Cyprus, will serve as a starting point for President Bush to redouble his efforts to bring peace to Cyprus. Ending the deadlock on Cyprus will require the Turks to accept that the thousands of Greek Cypriots who fled their homes after the invasion are entitled to return. If President Bush lends even a portion of the attention to this matter that he applied to the invasion of Kuwait, then I am sure he can help the Greek and Turkish Cypriots reach an agreement that respects the human rights of both communities.

On numerous occasions during and since the gulf war, the President has called for a new world order based on the rule of law. It's time he got beyond television sound bites, and seized on the principle of human rights as the key to settling the Cyprus dispute.

Mr. DELLUMS. Mr. Speaker, 17 years ago, on July 20, 1974, Turkey committed a grevious act of aggression by its invasion of Cyprus.

This violation of international law has been exacerbated by 17 years of Turkish occupation of the northern part of Cyprus.

The life of Cyprus has been seriously disrupted. Many persons are still missing and unaccounted for.

It is imperative that our Government seek now to redress the situation and to do everything possible to have Turkey withdraw and let the Cypriots find their own path to a solution of their many problems.

Mr. GALLO. Mr. Speaker, July 20 marked the 17th anniversary of the division of Cyprus. It is significant that we take this time to reflect on this crisis and remember the struggling people of Cyprus.

The climate for negotiations has recently brightened. Since the gulf war, the international impetus for a solution to the Cyprus issue has grown. President Bush has just returned from visiting Greece and Turkey where he urged leaders to resolve this crisis. I encourage all parties to continue the progress and negotiations of recent months.

The only way for a lasting solution to be reached is by the withdrawal of all foreign troops from Cyprus, as stated by U.N. resolutions. In the meantime, joint projects between the two Cypriot communities are crucial to restoring peace and stability in Cyprus, and I support the United States' annual funding of these programs.

Continued cooperation by all parties within the parameters of U.N. resolutions will help end the conflict and establish peace. Let us support this progress in negotiations, as a solution to the Cyprus problem seems within reach.

Mrs. BOXER. Mr. Speaker, I thank my colleague, Representative BILIRAKIS, for holding this special order on Cyprus. Seventeen years ago Turkish troops invaded the island republic of Cyprus. Since that time, there has been an artificial barrier separating Greek Cypriots in the south from Turkish Cypriots in the north. The green line is not only an ugly reminder of Turkish aggression, but also an immovable barrier dividing Cypriot families and friends.

The Cypriot people have suffered enough. It is time to end the hate and bitterness enveloping Cyprus and renew negotiations for a reunified country.

Adherence to the U.N. resolutions calling for the removal of Turkish troops would be a good start. In addition, United Nations sponsored talks should also be revived. The United States must work to bring Turkey back to the negotiating table.

Our cooperation with Turkey during the gulf war and the resulting political climate provide a real opportunity to break the longstanding deadlock. I hope that the recent meetings between President Bush and the leaders of Turkey and Greece will be the first step toward reunification for the nation of Cyprus.

Mr. GREEN of New York. Mr. Speaker, I join my colleagues in deploring the continued division of Cyprus.

For nearly two decades, some 30,000 Turkish troops have remained in Cyprus, prohibiting that nation from finding a political solution to its problems. I add my voice to the many that cry out today to urge Turkey to remove its troops immediately, so that all parties may work toward a peaceful resolution of the Cyprus problem.

The problem of Cyprus recently commanded the full attention of President George Bush, who met in Turkey with that nation's President, Turgut Ozal, on July 20, the 17th Anniversary of the Turkish invasion of Cyprus. I commend President Bush for his increased interest and activity on this problem, and I hope he will assign the highest priority to the Cyprus problem in all United States discussions with the Turkish leadership.

Turkish troop presence on Cyprus is unjust and in violation of international law. The situation has dragged on for 17 years without resolution, leaving a nation divided and a population embattled. The international community has repeatedly condemned the Turkish occupation of the island's northern third, and several U.N. resolutions have called for the immediate withdrawal of those troops.

While I agree with President Bush that the United States "cannot dictate terms" in resolving the question of Cyprus, I do believe that American strength and resolve must be ap-

plied to the problem of Cyprus, and that this untenable situation must end.

Cyprus must be permitted to benefit from the greater atmosphere of peace and freedom that is sweeping across so much of Europe. Cypriots, both Greek and Turkish, deserve to be free of the hostilities that have plagued their land for over 15 years. Let us erase the green line and bring an end to the division of Cyprus. Let us work to restore the civil liberties for the people of Cyprus. Clearly, the Turkish military presence must end, so that the citizens of Cyprus may at last enjoy peace and reunification.

Mr. FRANKS of Connecticut. Mr. Speaker, I rise today in support of my distinguished colleagues, Representatives BILIRAKIS, FEIGHAN, and BENTLEY to mark the occasion of a grave international injustice: the invasion of Cyprus by Turkey.

Turkey's actions violate the United Nations Charter, the North Atlantic Treaty, and international as well as United States law. Clearly, we as a nation, which so heroically rose to the defense of Kuwait, must continue to apply the same standards to aggressor nations and promote the rule of law.

Turkey remains the only nation in the world to recognize the occupied territories, while flagrantly ignoring and failing to comply with relevant United Nations Security Council resolutions. I urge my colleagues and this Chamber to bring the full weight and collective condemnation of this body to bear on President Ozal to initiate negotiations toward a peaceful resolution.

After 17 years, Turkish troops continue to occupy 40 percent of this island and no progress has been made to peacefully rectify this situation. I stand in support of all those men and women who hunger for freedom and an end of this illegal occupation.

Mr. LEHMAN of California. Mr. Speaker, I rise today to join my colleagues in expressing my anguish about the ongoing division of Cyprus. I would like to thank the gentleman from Florida for taking time to focus our attention on the illegal occupation of Cyprus by the Turkish Army.

On July 20, 1974, the Republic of Cyprus was invaded by Turkey, which resulted in the death of 5,000 people and the disappearance of 1,619 Greek Cypriots and 8 Americans. To this day, about 35,000 Turkish troops continue to occupy the island's northern third in violation of several United Nation's resolutions calling for their immediate withdrawal.

Since 1974, the United Nations has sponsored negotiations to resolve the differences between the Greek and Turkish-Cypriot communities. Unfortunately, these negotiations have not produced an agreement. Recently, U.N. Secretary-General Javier Perez de Cuellar reinstated his longstanding commitment to reach an agreement on this 17-year-old problem.

I would like to express my wholehearted support for a negotiated peace and for reunification of Cyprus. With the dramatic events that have taken place in the Soviet Union and Eastern Europe, it is time to eliminate the green line that divides Cyprus. It is vital that we reaffirm our commitment to establishing a genuine and lasting peace through meaningful negotiations. The United States must use its leverage more effectively in order to force the removal of the Turkish troops and the restoration of majority rule to the nation.

I urge my colleagues to put their full support behind the United Nations efforts to end this stalemate and finally establish a reunified Cyprus. We should not leave Cyprus out of the New World Order as they should also enjoy the benefits of democracy and freedom.

Mr. AUCOIN. Mr. Speaker, I am pleased to join my colleagues today who are speaking out for an end to a divided Cyprus. I commend my colleagues, Representatives BILIRAKIS, FEIGHAN, and BENTLEY, for taking the lead and organizing this important debate.

On July 20, 1991, the world observed the 17th anniversary of the first phase of the Turkish invasion of the Republic of Cyprus. Turkey's stated purpose for the invasion of Cyprus was to restore a legitimate government and protect the Turkish Cypriots. However, Turkey failed to withdraw in accordance with U.N. Security Council resolutions. Those resolutions called for an immediate cease-fire and asked for the withdrawal of all foreign troops. Instead of complying with the resolutions, Turkey repeatedly violated the cease-fire and increased the number of Turkish troops in Cyprus. On August 14, 1974, Turkey made an attack on Cyprus, seizing 40 percent of its territory.

To this day, Turkey holds on to Cypriot territory in violation of the U.N. charter and numerous U.N. Security Council and General Assembly resolutions. Those resolutions are, in many respects, are similar to those against Iraq; the difference being that the ones against Turkey have not been implemented. Additionally, Turkey continues to violate other international and United States laws.

The United States House of Representatives voted to lift the arms embargo against Turkey with promises that Turkey would cooperate and settle the dispute. Unfortunately, Turkish resistance followed instead. In November 1983, Turkey set up its own government, recognized only by Turkey, in the occupied territories.

The Turkish invasion and occupation have brought about serious consequences for Cyprus. As a result of the invasion, 194,000 Greek Cypriots became refugees. Over 1,600 are still missing, including several Americans. A majority of the 20,000 Greek Cypriots under Turkish occupation have been expelled. Neither the 3,000 year-old Greek presence in the occupied North nor Cypriot churches have escaped Turkish violence. Finally, Turkey has altered the demographics of Cyprus by bringing approximately 80,000 Turkish settlers to the island in an attempt to balance the lopsided 18 percent Turkish and 80 percent Greek population breakdown in Cyprus.

The serious consequences of the Turkish occupation do not stop with Cyprus. The United States and its allies possess a vital interest in the improvement of conditions in Cyprus. The strengthening of Cyprus' economy could mean an eventual EC membership. Peace and stability in this region is key to U.S. interests. The creation of an independent, bicommunal federal republic could mean not only the safe return of refugees and the security of human rights and fundamental freedoms for Cypriots, but also the removal of one of the largest sources of friction between NATO allies. The United States should begin by working with the United Nations to demand from Turkey compliance with the U.N. resolutions. As the need for stability in the area persists, the United States Government must address the urgent issues concerning Cyprus.

Again, Mr. Speaker, I commend my colleagues for shining the spotlight on Cyprus today. We must continue to speak out against these injustices until we see an end to the military occupation of this country.

Mr. MCMILLEN of Maryland. Mr. Speaker, I rise today to comment on a long running dispute over the island of Cyprus. While Mideast peace plans make national headlines, and the resolution of long running disputes remains a high priority with the administration, there remains one dispute which is largely ignored. This, of course, is Cyprus.

Cyprus is a partitioned country, divided by an armed force, a buffer zone and long history of past wrongs. Whether this remains so depends upon not just the Cypriots themselves, but also the Greek and Turkish Governments and others.

At this point in time, there is no need to place blame on one group or another. Both sides have historical grievances which have never been settled and will, most likely, never be settled to anyone's satisfaction. Little is gained by proving one side right or wrong. Dwelling on the past will lead only to another 17 years of division.

The question now lies on whether or not to move into the future. Whether or not cooperation between Greece and Turkey can be achieved, and a constitutional framework can be established to govern Cyprus—one which will guarantee the constitutional rights of all citizens. Such a federal solution also needs to ensure the freedom of movement, property and settlement.

I strongly support the U.N.-sponsored negotiations which are working toward this end, and urge all parties involved to strive toward a negotiated settlement. It will not be easy, and it will require the effort and commitment of not just the partisans but the United States, the European Community, and the United Nations as well. If we are to be successful in truly establishing a New World Order, in moving beyond old divisions, we must make the necessary commitments. Living in a state of cold war—of armed division—is a past which needs to be left behind, whether that is in Eastern Europe or on the island of Cyprus.

Mr. TORRICELLI. Mr. Speaker, the 1974 division of Cyprus was a tragedy that continues to plague the harmony of the island. The United States has always maintained strong and close ties with Cyprus and it is clearly in the United States interest for there to be a fair and quick settlement between the Greek and Turkish Cypriots.

But a fair solution, while attainable, is undermined by the Turkish Government's insistence on recognition for a separate Turkish Cypriot state. No other government aside from Ankara recognizes this state. Ankara's obstinateness is a disservice not only to the international community, Cyprus and all the nations of the region, but to Turkey itself. The Turkish military occupation of Cyprus is condemned by the international community and prevents a peaceful solution to the conflict.

A solution to this problem must be found, and the United Nations is making every effort to find one. Congress must also make every effort to support the United Nations in its attempts to reach a settlement between the two parties. The gulf war proved that the United Nations can be effective in drawing the nations of the world together to resolve contentious and harmful disputes. Secretary General de Cuellar's efforts to resolve this conflict are crucial to stability in the Eastern Mediterranean region.

It is imperative that the Greek and Turkish Cypriots cooperate with the Secretary General in his attempt to provide an outline for a settlement of the dispute. I amended the fiscal year 1992 foreign aid authorization bill to express the sense of Congress that the Secretary General's efforts be encouraged and supported so that a conclusion to this conflict can be reached.

The Government of Turkey should finally adhere to the U.N. resolutions. Until the Ankara government recognizes the need for a compromise acceptable to all parties and negotiates under the guise of the United Nations, this conflict will continue to be an unnecessary and unwanted burden on the region and the world.

Mr. ERDREICH. Mr. Speaker, July 20 marked a dark anniversary for the people of a tiny island nation in the eastern Mediterranean. On that day, 17 years ago, the Republic of Turkey invaded Cyprus, an act that bears striking resemblance to Iraq's invasion of Kuwait.

It is impossible to calculate the toll in human suffering since that fateful day. Countless lives were lost, women and children raped, citizens denied fundamental liberties and imprisoned without cause. Over 180,000 Greek Cypriots were expatriated from their homes and land. What little that remained was stolen. Northern Cyprus is a land borne of man's inhumanity to man and serves as testament to the Old World Order. Turkey now stands alone in recognizing the puppet government of the Turkish Republic of Northern Cyprus.

This puppet government now occupies nearly 40 percent of the land mass while having only 19 percent of the island's total population. Today Cyprus remains a land divided by a border enforced by the United Nations with 29,000 troops on the Turkish side and 13,000 troops on the Greek side. All are at war's doorstep, just as they have been since 1974.

The United Nations has preserved a ray of hope for this region torn asunder. Our plan, proffered by the United Nations with U.S. support, is to promote a new federal republic on the island that would be bicommunal, bizonal, nonaligned and an independent state. Under the plan, both regions would pledge not to move toward union with any other nation. The U.N. Charter (article 2(4)) states that, "All members shall refrain in their international relations from the threat or use of force against territorial integrity or political independence of any state." Unfortunately, the United Nations cannot act alone. Such a plan requires leadership, leadership that, until now, the United States has been either unable or unwilling to provide.

Last week, on the day following the anniversary of Turkey's invasion, President Bush met with Turkish President Turgut Ozal to press the issue of divided Cyprus. While providing no new concrete solutions to the crisis, President Bush offered to act as a "catalyst" to settle the conflict by the end of this year.

In his speech to the Greek parliament, President Bush said, "* * * I pledge that the United States will do whatever it can to help Greece, Turkey and the Cypriots settle the Cyprus problem, and do so this year.

"Today, with new leaders of vision, your nations enjoy a unique opportunity to overcome the misunderstandings of the past. You can begin to heal the deep wound that scars Cyprus, that divides families and friends on that island."

Commendable words. Words that have been echoed over the past two decades, without action. The time has come for the United States to back up our words with action. That is why, Mr. Speaker, I rise in support of military aid to Greece that will preserve a balance between Greece and Turkey.

With the cold war beginning to thaw the world over, the U.S. effort to reduce its total forces worldwide, the collapse of the Warsaw Pact and democratization sweeping the globe, the time has come to prioritize. If the United States does not put forward a solid, constructive effort immediately to reunite Cyprus as a federal nation all hope for a peaceful settlement will be lost for the remainder of this century.

There has never been a greater opportunity for a peaceful unified Cyprus: President Ozal has been open to dialog on the subject; Mr. Denktash, the Turkish Cypriot leader, has been working with U.N. Secretary General Javier Perez de Cuellar on a draft proposal for a federated government; Turkey has stated that it is willing to cede to the Greek Cypriots 11 percent of the land now under their control in exchange for political concessions; and both President Bush and Secretary Baker have personally raised the issue to the Turkish President.

The United States must not let this opportunity pass. At a press conference following his meeting with Greek Prime Minister Constantine Mitsotakis, President Bush said, "It is my role to use whatever authority the United States may have * * * to further support for the United Nations Secretary General's proposals in any way I can." Mr. Speaker, I submit that if no progress is made toward uniting Cyprus, the decision must be made to withhold future Turkish aid. Anything less would be perceived as tacit acceptance of Turkey's authority in Northern Cyprus.

I wholeheartedly encourage President Bush to aggressively pursue this effort and pledge my support for a unified Cyprus.

Mr. RUSSO. Mr. Speaker, I would like to thank my distinguished colleagues, Mr. FEIGHAN and Mr. BILIRAKIS for calling today's special order to mark the 17th anniversary of the Turkish invasion of Cyprus. It is with deep regret that we find it necessary to once again observe this sad anniversary. Another year has passed and 35,000 Turkish troops continue to occupy 37 percent of the Republic of Cyprus.

In the past 2 years the world has witnessed changes and events of historic proportions. In 1990 the Berlin Wall was torn down leaving Nicosia, the Capitol of Cyprus, as the only divided city in Europe. In 1991 the world watched as a United States-led U.N. coalition implemented the rule of law and liberated Kuwait from the invading Iraqi Army.

The Turkish invasion of Cyprus is not unlike the Iraqi invasion of Kuwait, with a larger more powerful country invading a smaller neighbor. Unfortunately, unlike Kuwait, the numerous U.N. resolutions relating to Cyprus remain unimplemented. As problems once thought impossible to resolve are solved and the United Nations has a new respect and credibility the time is right to settle the Cyprus dispute.

After years of placing the Cyprus issue on the back burner, the administration is finally focusing attention on the conflict. I commend President Bush for his recent remarks in Athens where he stated:

> In the new world I have discussed, none of us should accept the status quo in Cyprus * * * And today I pledge that the United States will do whatever it can to help Greece, Turkey and the Cypriots settle the Cyprus problem and do so this year.

If the Cyprus problem is to be resolved this year then Ankara must show a willingness to cooperate and participate in the U.N. sponsored negotiations. The U.N. Secretary General, has repeatedly requested that the Turkish side submit its positions on the issues relating to the territorial aspects of the problem and on the 200,000 refugees who were displaced after the invasion. Turkey appears unwilling to cooperate with the Secretary General and has failed to submit concrete proposals on these key matters.

This Congress and the administration must make it absolutely clear to Turkey, that while we appreciate their outstanding contributions during the gulf war, we will no longer tolerate the status quo on Cyprus. The illegal Turkish occupation of Cyprus must end. The 200,000 refugees must be given the opportunity to return to their homes and Turkey must account for the fate of the 1,619 missing persons since the brutal invasion in 1974. Clearly, the solution to the Cyprus problem rests with Ankara.

Let's hope that at this time next year the Cyprus problem will be resolved and a special order remembering the 18th anniversary of the Turkish invasion of Cyprus will be unnecessary.

Mr. STARK. Mr. Speaker, I thank my colleague from Ohio, Mr. FEIGHAN, for planning this special order to call attention to the continuing Turkish occupation of the Republic of Cyprus.

For 17 years, tens of thousands of Greek Cypriots have lived under an oppressive Turkish rule; 35,000 Turkish soldiers have occupied 40 percent of the island state. Ankara has ignored a series of resolutions by the United Nations on this matter as well as countless calls by the international community.

This is an opportune moment to speak forth on this issue. Not only did Turkey's invasion take place 17 years ago last Saturday, but the United States has spent the better part of the last year addressing another invasion of a large country by a smaller one in the Middle East. If President Bush could expend billions of dollars in time and money to liberate Kuwait, he should certainly focus some energy on bringing justice to Cyprus. I was pleased to

see him address this issue with Greek and Turkish leaders over the last week; I urge the administration to continue to work on this important issue.

Turkey's invasion was a clear violation of the U.N. Charter, the North Atlantic Treaty, and United States laws governing foreign assistance. If the President's so-called new world order means anything, it should mean that continuing acts of international aggression of this kind should no longer be tolerated. The United Nations must take an active role in mediating this dispute to bring an end to the division of Cyprus.

When the United States has a record Federal budget deficit of more than $300 billion, we have better things to do with the taxpayers' money than send $700 million of it to a regime that continually flouts international norms and ignores the diplomatic overtures of successive U.S. Presidents. We've tried the carrot approach for many years now—it's time to employ a more forceful approach and resolve this injustice.

Once again, I wish to commend Mr. FEIGHAN for his efforts and leadership on this important issue. We must let the people of Cyprus know that their cause is not forgotten and that justice, freedom, and independence will in the end triumph over foreign occupation and oppression in the island state.

Mr. HUGHES. Mr. Speaker, President Bush recently visited the leaders of both Greece and Turkey, and I was pleased to see that he has now decided to bring some attention to the continuing occupation of Cyprus by Turkish forces. Unfortunately, it seems that it took Saddam Hussein's invasion of Kuwait to remind the world that armed invasions of sovereign nations are wrong.

The people of Cyprus have waited over 16 years to have their nation restored. The U.N.-sponsored peace talks and President Bush's visit to the region have brought new hope to the Cypriots, but after such a long wait the time has come for concrete action.

If the new world order is to be based upon self-determination and national sovereignty, surely the international community must unite in support of Cyprus just as surely, we in Congress must take responsibility for providing Turkey with millions of dollars in military aid, essentially defraying the costs of occupation. With the crumbling of the Soviet bloc and Saddam Hussein, the high military aid levels of the past are not justified as long as Turkish forces remain in Cyprus.

Mr. Speaker, I urge my colleagues to remember Cyprus and to consider these issues carefully when considering future foreign aid legislation.

Mr. CARDIN. Mr. Speaker, I raise today to join my colleagues, Representative HELEN DELICH BENTLEY, Representative MICHAEL BILIRAKIS, and Representative EDWARD F. FEIGHAN, in remembering the 17th anniversary of the Turkish invasion of Cyprus. I wanted to join my colleagues in this special order in the hope that it will sharpen the focus of United States and world attention on this difficult situation.

The eastern Mediterranean island of Cyprus has been divided since the Turks invaded Cyprus in 1974. A U.N. force currently patrols a line separating about 170,000 Turkish Cypriots in the north and 650,000 Greek Cypriots in the south.

The people of Cyprus, both Turkish and Greek, have suffered over the course of the last 17 years. The status quo continues to be unacceptable. The Turkish troops that line the green sandbags and barbed wire that runs through the streets of Nicosia, Cyprus, represents one of the last remaining occupation armies in Europe.

The Persian Gulf conflict has drawn international attention to this turbulent region of the world. The breaking down of past barriers of oppression and the transition toward democracy throughout Eastern Europe and the Soviet Union illustrate that the spirit of change is still alive.

The U.N. Secretary General Javier Perez de Cuellar has been tireless in his efforts to bring all of the parties together to work out a negotiated solution in Cyprus. Earlier this summer, the Secretary General proposed convening a conference to discuss and solve all the basic aspects of the Cyprus problem. Having just waged a war to preserve the international order and to enforce the decisions of the United Nations, it is incumbent upon the United States and the rest of the international community to support efforts to bring the Cyprus question to a negotiated settlement.

President Bush has said that he will involve himself on a high level in breaking the impasse. In recent meetings with Turkish President Turgut Ozal, President Bush appears to have raised the issue of Cyprus. Hopefully, this high level United States involvement will push Turkey toward recognizing the irrationality of the current stalemate in which Turkey had a large role in creating.

The time has come for the occupation forces to be withdrawn. Greek and Turkish Cypriots should be permitted to return to their homes and to determine for themselves the future direction of Cyprus.

Mr. LANCASTER. Mr. Speaker, no nation on Earth has shown a greater respect for the rule of law and the peaceful pursuit of justice than the people of Cyprus since their island republic was split 17 years ago.

Without the one-third of the island in the north, which contains the greater part of Cyprus' natural resources, the nation has managed to prosper and to increase its status as a center for trade, communications, commerce, tourism, and industry. Many Cyprus leaders in these enterprise were totally destitute when they left their homes in the north and became refugees in their own land. They lifted themselves and restored their nation the old fashioned way: Through honest, hard work.

The demands of the people of Cyprus for reunification of their nation have not slackened during the 17 years of Turkish occupation of the north, and, if there is any change, it is that the determination to be one nation again is greater than it was after the 1974 occupation.

Mr. Speaker, our President has called for a resolution by the end of the year, and has stated that two democracies—referring to Greece and Turkey, should be able to resolve their differences. Our President's concern has been a long time in coming.

The people of this beautiful island republic in the Aegean have used all the available tools of decent, democratic lawful negotiation to get our help and the help of the United Nations. They deserve, for their human decency and respect for law, far better than we have yet managed to give.

Mr. BONIOR. Mr. Speaker, I'd like to thank my distinguished colleagues EDWARD FEIGHAN and MICHAEL BILIRAKIS for holding today's special order to mark the 17th anniversary of the Turkish invasion of Cyprus.

On July 20, 1974, Turkish troops invaded and occupied northern Cyprus. Today, over 25,000 Turkish troops remain there. The troops occupy nearly 40 percent of the island even though only 18 percent of the population is Turkish Cypriot.

Thousands of Greek Cypriots became refugees as a result of the invasion. A barbed wire fence, known as the green line, cuts across the island separating thousands of Greek Cypriots from the towns and communities that their families lived in for generations.

Although President Bush pledged to help resolve the unjust situation in Cyprus this year, he has yet to propose a plan to achieve this. Turkey receives over $500 million in United States aid annually. If the President is serious about ending this dispute, the administration has leverage to pressure Turkey to withdraw its troops. For truly, this question can be resolved with a sufficient amount of political will and determination.

The past few years have produced dizzying change around the world. Barriers between the East and West crumbled. Progress is being made toward peace in the Middle East. Yet, Cyprus remains divided. The time has come for the green line to meet the same fate as the Berlin Wall. The new world order must include a united Cyprus.

Mr. CONDIT. Mr. Speaker, I would like to take this opportunity to recognize the 17 years of Turkish occupation on the island of Cyprus.

In 1974, Turkish troops invaded Cyprus because Turkey believed Greece was threatening to take over the island. Approximately 29,000 Turkish troops continue to occupy Cyprus today. Tensions between Greece and Turkey have remained constant since this invasion.

As you know, this region is politically and military important to the United States. Cyprus played a key role in Operation Desert Shield/Storm by pledging its full support for all the U.N. resolutions on Iraq. By providing base access, transit assistance, and airfields to the allied forces, Cyprus proved to be a cooperative entity.

With international relations improving worldwide, it seems an approprite time for Greece and Turkey to end hostilities and move toward more peaceful relations. I commend President Bush's commitment to Prime Minister Constantine Mitsotakis of Greece, to act as a catalyst in promoting a solution in accordance with the U.N. resolution on Cyprus. The people of Cyprus are now looking to the United States for leadership. After many years of anger and dispute, it is time to reunite the people of this divided nation by resolving the differences which exist between them.

Mr. SCHUMER. Mr. Speaker, with freedom coming to Eastern Europe and glimpses of hope for peace in the Middle East, the time has come to end the 17-year-old Turkish oc-

cupation of northen Cyprus. The crimes and violations of human rights perpetrated by the Turks against the Cypriots cannot be tolerated.

In these 17 years that the Turkish Army has occupied 37.3 percent of the island of Cyprus, 180,000 Greek Cypriots have been evicted from their homes and over 1,600 Greek Cypriots have been forcibly detained. The 29,000-man Army has committed innumerable rapes and murders, as well as a host of other deplorable crimes.

A resolution of this situation is clearly in our national security interests. Nicosia, the capital, is the only divided city remaining in the world. Greece has long been willing to negotiate with Turkey and the time has come to start the process.

President Bush, on a visit to Greece recenty, called for new initiatives to end this conflict. I applaud him for this action. We must play an active role in this process, to ensure that these violations of Cypriots' rights are stopped before any more atrocities occur.

Ms. SNOWE. Mr. Speaker, I would like to commend the gentleman from Ohio [Mr. FEIGHAN] and the gentleman from Florida [Mr. BILIRAKIS] for conducting this special order today to draw attention to the continued agony of Cyprus, 17 years after its invasion and division by Turkish troops.

I wish that it were not necessary to remember this tragic event, and to recite once again the familiar fact of the Cyprus dispute. We are living in an exciting and dramatic time in world events, when other conflicts that long seemed unsolvable have swiftly given way to progress.

Freedom is returning to the people of Eastern Europe after decades under Communist oppression. Germany is again a united country after decades of forced division. Democracy has spread to parts of Latin America and Africa that have never known it. There have even been small steps toward peace in the ever-volatile Middle East.

Sadly, though, beleaguered Cyprus cannot join Germany, Hungary, Namibia, and Nicaragua on the roster of international success stories of our time. More than one-third of its territory remains occupied by Turkish troops who support settlers from the Turkish mainland and the illegitimate, self-proclaimed government of the Turkish Republic of Northern Cyprus.

As a supporter of peace and freedom for the Cypriot people, I have stood up in Congress year after year to mark this sad occasion. I sincerely hope that this is the last year that it will be necessary. The U.N. Secretary General has personaly sponsored talks between the leadership of the two Cypriot communities, and I commend him and his representatives for the considerable time and attention they have devoted to this effort.

I also commend President Bush for his attention to Cyprus. In his meetings with Greek Prime Minister Mitsotakis and Turkish President Ozal last week Cyprus was high on his agenda, as it should be.

To this point, these efforts have borne little fruit, however, for the simple reason that the Turkish Government refuses to end its occupation and allow a settlement to occur. In the face of Turkey's obstructionism, perhaps only the sustained and vocal attention of the world community to this issue can make a difference and break the deadlock. The world rightly joined together to condemn, year after year the Soviet occupation of Afghanistan and the Vietnamese occupation of Cambodia. I believe that such constant and high profile international pressure contributed to the withdrawal of foreign forces from those countries.

It is therefore incumbent upon us, as Members of Congress, to use occasions such as this to lend our voices to the international chorus, and to stress that the outrageous violation of human rights, freedom, and international law on Cyprus, is simply unacceptable, and must be brought to a speedy end.

Mrs. MORELLA. Mr. Speaker, I want to thank the gentleman from Florida [Mr. BILIRAKIS] for his continued attention to the division of Cyprus, and for calling this special order today, coinciding with the 17th anniversary of Turkey's invasion and occupation of northern Cyprus.

Much credit is due the United Nations Security Council and United Nations Secretary General Javier Perez de Cuellar for their ongoing efforts to resolve peacefully the continued division of that Mediterranean island. In recognition of his efforts, the Security Council on June 28 endorsed the Secretary General's proposal to convene an international meeting on Cyprus, provided that the parties concerned were near agreement on the issues involved; the Security Council has previously condemned Turkey's actions in Cyprus. The Security Council also accepted Perez de Cuellar's recommendation that U.N. officials continue with their meetings with concerned parties to prepare for a possible meeting. The Secretary General will report back to the Council by the end of August.

I am especially pleased by the renewed attention which President Bush and his administration have given to the division of Cyprus. Secretary of State Baker recently asked his Turkish counterpart to be more forthcoming in cooperating with the U.N. Secretary General's efforts, asking that he submit serious and concrete proposals addressing the outstanding issues. In his meeting with Cypriot President Vassiliou May 30, President Bush proposed that he would act as a catalyst in promoting a resolution of the division of Cyprus that would conform to United Nations resolutions on the situation.

I commend President Bush for the attention which he gave to the issue of Cyprus during his visit to Greece and Turkey in the last week. As the President told the Greek Parliament, "None of us should accept the status quo in Cyprus." He further pledged to support the U.N. Secretary General's proposals however he could. The United States should continue this renewed focus on the situation in Cyprus, with the goal stated by the President of resolving the division of Cyprus by the end of this year.

Mr. ABERCROMBIE. Mr. Speaker, I join today with my colleagues to call for an end to 17 years of occupation, oppression, and division.

Around the world we see chains of oppression being broken—the situation in Yugoslavia, the Baltics, and the tremendous wave of change that has swept across Eastern Europe. In this decade of a new world order, the quest for freedom is being sought more earnestly than ever.

Mr. Speaker, the United States and Congress has followed the ongoing United Nations-sponsored Cyprus negotiations with interest and concern. We have provided an annual amount of $15 million dollars in aid to promote bicommunal projects and scholarships for Cypriot students. Over the weekend, the President pledged in a speech to the Greek Parliament that the United States would take a more active role in the Cyprus problem, and said that "No one should accept the status quo in Cyprus."

Mr. Speaker, I encourage the President to keep to his pledge and use his capacity as leader of the United States and the international community to urge the withdrawal of foreign troops in Cyprus as a first step to ending the division which has remained since 1974.

Mr. EDWARDS of California. Mr. Speaker, I commend my colleagues; the gentleman from Florida, the gentleman from Ohio, and the gentlewoman from Maryland, for planning this special order enabling us to address the unacceptable and longstanding Turkish occupation of Cyprus.

Mr. Speaker, the dawning of this decade has allowed us to witness an unprecedented historical unrest throughout the world. Many nations are finding foreign occupation and influence to be unreasonable. Attempts to break free from foreign oppression are no longer rarities, but common occurrences. This unrest has led to the collapse of the Berlin Wall, numerous revolts in the Baltic States, and the decline of Soviet control in Eastern Europe. As foreign oppression ceases to be the order of the day, Cyprus remains a dark reminder of past offenses in a time of unparalleled world freedom.

July 20, 1991, marked the 17th anniversay of the Turkish occupation in Cyprus. The invasion of 1974 has created numerous problems for the people of Cyprus. By taking nearly 40 percent of the land, the Turks have displaced tens of thousands of Greek-speaking Cypriots from their natural homes. To this day, the green line separates the Greek Cypriots from the Turkish Cypriots. This division perpetuates ethnic boundaries and creates ill will between the two groups. If this barrier remains much longer the people on both sides will grow irreconcilably apart.

From an economic standpoint, the division of Cyprus proves to be detrimental to the wealth of the nation. With the invasion, Turkey inherited the prosperous port, Famagusta, which controls 83 percent of the general cargo in Cyprus. The Turks also gained major percentages of Cyprus' livestock production, tourism, and agricultural exports. In sum, Turkey controls 70 percent of the gross output of the Cyprus economy. It goes without mention how this economic imbalance affects the Greek Cypriots.

The President's recent visits to Greece and Turkey are representative of the need for the United States to make a more concerted effort to help resolve the Cyprus conflict. Maintaining the status quo in our actions toward Cyprus is no longer acceptable. We must use our influence and apply greater diplomatic pressure on the Turkish Government to withdraw their troops and return their settlers to home.

The U.N. efforts to bring the Cyprus conflict to a lasting compromise is to be commended. I support and urge all of my colleagues to support the efforts of Mr. Perez de Cuellar, the U.N. Secretary General, to produce a rapid and peaceful agreement between Greece and Turkey as set forth in previous negotiation talks with their leaders. Although these negotiations have faltered, the United States should let it be known that we still encourage any effort to bring about a peaceful solution to the Cyprus conflict.

Mr. Speaker, for the past 17 years, Cyprus has been under a division that does nothing to benefit the people of that country. It separates them and oftentimes violates their rights as citizens. I once again urge my colleagues to reflect upon this conflict and support efforts to resolve this longstanding problem.

Mr. MARTINEZ. Mr. Speaker, I would like to first commend and thank the gentleman from Florida for his initiative today. I praise him for his unwavering commitment to freedom and justice for all Cypriots.

Mr. Speaker, I join my colleagues in observing July 20 as the 17th anniversary of Turkey's invasion of northern Cyprus. This anniversary has weighed heavily on the conscience of all peoples of the world who share in the belief that states must eschew the destructive path of naked aggression and abide by the rules of international law. If nothing else, the historic international alliance against Iraq's invasion of Kuwait sends a clear signal to all states that naked aggression will not be tolerated by the world community.

In his recent trip to Greece and Turkey, President Bush expressed his willingness to act as a catalyst in order to jump start United Nations-sponsored mediation talks between the various actors in the Cyprus question. Mr. Speaker, I applaud the President's pledge to help resolve the Cypriot issue by the end of this year. However, it is going to take more than ceremonial rhetoric to break the political impasse that has torn this small island apart.

Mr. Speaker, the status quo must be broken, the paralysis in United Nations-sponsored negotiations must be broken, and the intercommunal strife that has divided Cypriots must be settled peacefully. But none of this can occur as long as Turkey continues to violate international law and flout United Nations resolutions pertaining to Cyprus. Seventeen years after its brutal invasion of northern Cyprus, Turkey still has 29,000 troops occupying 40 percent of this eastern Mediterranean island. The Ankara government must come to the realization that its troops in nothern Cyprus stand as an obstacle to a just and permanent settlement to the Cyprus problem.

Mr. Speaker, the United States can and should play a constructive role in helping to resolve the issues that divide Greek Cypriots and Turkish Cypriots. However, any proposed American initiative in unraveling the Gordion knot must have as its primary objective the withdrawal of Turkish forces from the island. Anything less than this United States-stated objective would be meaningless in helping to establish peace, liberty, and stability in Cyprus.

Ms. PELOSI. Mr. Speaker, I would like to commend my colleagues, Mr. FEIGHAN, Mr. BILIRAKIS, and Mrs. BENTLEY, for calling this special order on Cyprus. Today, I join with many of my colleagues in recognizing the 17th year of the Turkish occupation and division of the Republic of Cyprus, and the hardships and human rights violations long endured by Greek Cypriots in their homeland.

The past 17 years have been tragic ones for Greek Cypriots: Some 200,000 Cypriots, about 40 percent of the total population, are refugees in their own land; another 1,619 persons are missing, their fate unknown to their families and loved ones. Greek Cypriots deserve better than to be treated by strangers as second-class citizens in their homeland.

Despite longstanding pressure from the United Nations in the form of 24 resolutions, the Cyprus problem persists. This 17th anniversary reminds us of the continuing occupation and human rights violations, and the urgency of resolving this situation.

I would like to acknowledge the President's recent interest in resolving the Cyprus situation; however, I must express grave concern about the President's proposal for four-party talks, which would legitimize the results of the invasion. The area of Cyprus under Turkish occupation is recognized only by Turkey as an independent state.

During the many rounds of negotiations, the Cyprus Government and the Greek Cypriots have made serious concessions. They are making a good-faith effort to bring about a solution to this tragic division of Cyprus. The basic prerequisites for peace are straightforward: The withdrawal of the Turkish occupation troops, freedom of movement, settlement and property ownership anywhere in the Republic, with international guarantees for all of its citizens.

The Turkish Cypriot leader, Rauf Denktash, must come to realize the necessity of a resolution to the differences that have so bitterly divided Greece, Turkey, and Cyprus. A solution to the Cyprus problem would contribute to world stability and international order.

In a world lit by the fires of freedom and inspired by self-determination, we look to Cyprus with the hope that the conditions can be resolved diplomatically, peacefully, and with justice for Greek Cypriots.

Mr. OWENS of Utah. Mr. Speaker, 17 years ago, Turkish troops invaded and forcibly occupied northern Cyprus, claiming the lives of more than 4,000 Greek-Cypriots and casting out more than 200,000 from their homes, now refugees in their own country. More than 1,600 are still missing.

Since then, the island has been divided by barbed wire. Concrete barricades and reenforced checkpoints dot the green line. Nicosia remains divided. I wish I could join my colleagues today in remembering this invasion as a tragic event of 1974 alone. However, the events of 17 years linger on Cyprus, as do 38,000 Turkish troops and 60,000 Anatolian settlers.

I rise to commemorate this tragedy and underscore the President's view that "the status quo is not acceptable" on Cyprus. Continued intransigence, such as that of Rauf Denktash in last year's U.N.-sponsored talks last year, is not acceptable. Continued delays by Turkey in providing a detailed proposal to the Secretary General are not acceptable.

Mr. Speaker, the President's visit to Greece and Turkey, as well as his meeting in May with President Vassiliou, signify what many of us in Congress have been urging for a very long time: that the administration is heightening the priority of the Cyprus dispute on its foreign policy agenda. This is a welcome and positive development, and one which—with continued congressional scrutiny—will complement the U.N. Secretary General's good offices mission.

Many of us have argued over the years that the solution to this problem lies in Ankara. Though Turkey has yet to be forthcoming on several substantive issues, including refugees and exchange of territory, it is encouraging that President Ozal has properly stepped forward in dealings with the United Nations. With vigorous encouragement from the United States, along with the flexibility and goodwill to offer a meaningful proposal, Turkey could take the steps necessary for an international meeting to convene at an early date.

There are other reasons for optimism as well. Seceretary General Perez de Cuellar announced his intention to place a priority on the Cyprus dispute in this last year of his term. With his leadership and the continued good faith efforts of President Vassiliou, we can hope for movement at long last on this seemingly intractable dispute.

Mr. GUARINI. Mr. Speaker, I rise today to join my colleagues to call for peace and for the settlement of the tragic dispute that has torn apart the Republic of Cyprus.

Since its independence from the United Kingdom in 1960, this small Mediterranean island has been a source of strife between its inhabitants, as well as Turkey and Greece. Cyprus survived as a sovereign nation until a coup against President Makarios and the subsequent military invasion by Turkey partitioned the island in 1974. By 1975 the Turkish Cypriots seceded from the Republic of Cyprus and declared the Turkish Federated State of Cyprus, known since 1983 as the Turkish Republic of Northern Cyprus.

Almost 20 years has passed, and to this day the conflict has not been resolved. Nation states throughout the world are answering the call for democracy and removing the walls which have segregated their people. The time has come for all Cypriot parties to come to the bargaining table and settle their differences peacefully. The people of Cyprus, both Greek and Turkish, under a United Nations umbrella can and must find a solution to their dispute. This unnecessary suffering of peoples on both sides must end. Greater efforts must be made to unite families and to resolve the long-term disputes that have for too long separated Greek Cypriots from Turkish Cypriots.

The barriers that divide the people of Cyprus can be eliminated, if only there is a will.

Mr. COYNE. Mr. Speaker, 17 years after Turkish military forces invaded the island of Cyprus, there is new optimism that a peaceful resolution can be found to this problem.

It seems fitting that the world should seek a resolution to an issue which has separated our partners in NATO, Greece and Turkey. Over the past few years, the world has celebrated an end to the separation of Germany, the growth of a democratic Eastern Europe, and an end to the cold war. These are conflicts between East and West for which solutions have been sought and realized. Certainly, we

should take advantage of this opportunity for resolving a longstanding dispute between two of our friends.

Efforts underway at the United Nations and in the European Community have focused renewed attention on the lingering separation of Cyprus into Greek and Turkish zones. More than ever before, it seems time to resolve an issue that has exacerbated tensions between Greece and Turkey for the past two decades.

President Bush is to be commended for raising this issue at the highest levels of Government during his recent visits with the leaders of Greece and Turkey. This is an issue which has been left on the diplomatic back burner for far too long.

The President should continue to build upon the strong relationship he developed with Turkey's President Ozal during the recent Persian Gulf war. These contacts enhance the administration's ability to make clear the United States' interest in resolving the Cyprus issue.

I am pleased that the House is taking the time to consider the history of this occupation, and address some of the issues which have kept Greek and Turkish Cypriots separated since 1974. The time has come for the removal of all foreign troops from Cyprus.

This dispute may not often occupy the Nation's front pages or evening newscasts, but the opportunity for real progress seems better than ever before. An independent and sovereign Cyprus is in the best interest of all of its neighbors in the Mediterranean.

The demarcation line between Greek and Turkish Cyprus should be removed soon for the sake of families on both sides of this conflict. For this reason, I hope that the United States will continue to play an active and positive role in diplomatic efforts to reunite Cyprus.

□ 1850

YAKUZA FIGURE BUYS PEBBLE BEACH

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Maryland [Mrs. BENTLEY] is recognized for 60 minutes.

THE CYPRUS ISSUE

Mrs. BENTLEY. Mr. Speaker, I am very happy to yield to the gentleman from New York [Mr. MRAZEK] if he wants to speak on the subject of Cyprus.

Mr. MRAZEK. Mr. Speaker, I want to thank my colleagues from Florida, Mr. BILIRAKIS; Ohio, Mr. FEIGHAN; and Maryland, Ms. BENTLEY, for organizing this important and timely special order.

In the 17 years that Turkey has illegally occupied one-third of Cyprus, there have been precious few moments for optimism that progress toward an end to the painful division of the island might be possible. The President gave us one such moment during his recent trip to the Mediterranean.

President Bush's visit to Greece, the first by a United States President in more than three decades, was very welcome; but even more welcome was his statement to the Greek Parliament that the United States will do whatever it can to help settle the Cyprus problem this year.

I put the emphasis on "this year" and I sincerely hope that President Bush will, too.

When Greek Prime Minister Mitsotakis visited the United States last year, he indicated that if there was to be progress on the Cyprus dispute, the United States needed to upgrade the issue, so that Turkey could not remain indifferent.

It may be a year late, but President Bush's comments indicate that the administration, at long last, may be giving a higher priority to resolution of the Cyprus problem.

On the down side, it is regrettable that the President had no concrete proposal on Cyprus; it is even more regrettable that he indicated that the administration once again intends to try to break that traditional 7 to 10 ratio of military aid for Greece and Turkey.

The United States can play an important role with respect to ending the division of Cyprus, but throwing more military aid at Turkey is clearly not a constructive approach.

The United States has already given Turkey about $6 billion in military aid since the 1974 invasion, and that aid has facilitated, if not encouraged, the continued occupation by Turkish troops.

The administration needs to spend less time thinking up new ways to reward Turkey for its opposition to Iraq's illegal occupation of Kuwait, and more time thinking up new ways to induce Turkey to and end its own illegal occupation of Cyprus.

The President's commitment to action this year, and his offer in May to the President of Cyprus, Mr. Vassiliou, to act as a catalyst in promoting a solution on Cyprus, and Secretary Baker's letter to Turkey's foreign minister asking for more flexibility and a more conciliatory position on Cyprus are steps in the right direction.

But if the administration truly intends to help end the division of Cyprus this year, it needs to bring effective pressure to bear on Turkey: pressure to cooperate fully with the efforts of the United Nations Secretary General; pressure to begin removing its troops and weapons from Cyprus, or at least to agree to a timetable for such a withdrawal; pressure to exercise its influence on Turkish-Cypriot leader Denktash to act responsibly; pressure to support various confidence building measures, such as the resettlement of Famagusta, and various bicommunal projects.

I believe Congress is ready to vigorously support any administration initiatives along these lines. Clearly, though, it is going to take continued active involvement at the highest levels, including the President and Secretary of State, if there is to be any chance for progress this year on ending the forced division of Cyprus.

Mrs. BENTLEY. Mr. Speaker, certainly those are important words from our distinguished colleague, the gentleman from New York [Mr. MRAZEK].

Mr. Speaker, now I have my very special colleague who shares the borderlines between our districts, the gentleman from Maryland [Mr. CARDIN], who has asked for a minute to speak on Cyprus, and I am very happy to yield to the gentleman.

Mr. CARDIN. Mr. Speaker, I raise today to join my colleagues, Representative HELEN DELICH BENTLEY, Representative MICHAEL BILIRAKIS, and Representative EDWARD F. FEIGHAN, in remembering the 17th anniversary of the Turkish invasion of Cyprus. I wanted to join my colleagues in this special order in the hope that it will sharpen the focus of United States and world attention on this difficult situation.

The eastern Mediterranean island of Cyprus has been divided since the Turks invaded Cyprus in 1974. A U.N. force currently patrols a line separating about 170,000 Turkish Cypriots in the north and 650,000 Greek Cypriots in the south.

The people of Cyprus, both Turkish and Greek, have suffered over the course of the last 17 years. The status quo continues to be unacceptable. The Turkish troops that line the green sandbags and barbed wire that runs through the street of Nicosia, Cyprus represents one of the last remaining occupation armies in Europe.

The Persian Gulf conflict has drawn international attention to this turbulent region of the world. The breaking down of past barriers of oppression and the transition toward democracy throughout Eastern Europe and the Soviet Union illustrate that the spirit of change is still alive.

The United Nations Secretary General Javier Perez de Cuellar has been tireless in his efforts to bring all of the parties together to work out a negotiated solution in Cyprus. Earlier this summer, the Secretary General proposed convening a conference "to discuss and solve all the basic aspects of the Cyprus problem." Having just waged a war to preserve the international order and to enforce the decisions of the United Nations, it is incumbent upon the United States and the rest of the international community to support efforts to bring the Cyprus question to a negotiated settlement.

President Bush has said that he will involve himself on a high level in breaking the impase. In recent meetings with Turkish President Turgut Ozal, President Bush appears to have raised the issue of Cyprus. Hopefully, this high level United States involvement will push Turkey toward recognizing the irrationality of the current stalemate in which Turkey had a large role in creating.

The time has come for the occupation forces to be withdrawn. Greek and Turkish Cypriots should be permitted to return to their homes and to determine for themselves the future direction of Cyprus.

Mrs. BENTLEY. Mr. Speaker, I thank the gentleman from the Third District of Maryland [Mr. CARDIN]. As I said, he and I share the borders and we like to work together in our areas. We both have a number of Greek constituents and we are very, very happy to bring this message to our people.

□ 1900

Mr. Speaker, I am happy to yield now to the gentleman from Virginia [Mr. PICKETT], who shares his great interest in shipyards with me, along with the Cyprus situation.

Mr. PICKETT. Mr. Speaker, I thank the gentlewoman for yielding to me.

Mr. Speaker, I rise today to again speak in support of a prompt resolution to the troublesome issue of the presence of Turkish troops on the island of Cyprus. It is an unacceptable state of affairs, yet one the Cypriot people have endured for nearly two decades.

In 1974, some 200,000 Greek Cypriots were displaced from their homes and another 1,500 were killed or remain missing. The infamous green line was established and is now maintained by force. Greek Cypriots cannot return to their homes and lands on the northern part of the island from which they were forced to flee 17 years ago.

The Turkish Republic of Northern Cyprus was unilaterally established. Turkish Cypriots, while comprising only 18 percent of the population of the island, occupy almost 40 percent of its land.

On this, the 17th anniversary of the Turkish invasion, there is reason for new hope that the impasse concerning Cypress will be resolved. President Bush has signaled his interest in a peaceful settlement of this long festering problem. With his demonstrated ability to successfully handle different foreign policy issues, I wish him every measure of success in this new endeavor.

The Secretary General of the United Nations, Javier Perez de Cuellar, has also stated that the settlement of this issue is an international priority. He has offered to help mediate a settlement and recognizes the delicate challenge of trying to move successful negotiations forward.

The Republic of Cyprus and its elected President, George Vassiliou, have accepted the Secretary General's suggestion of "one [bizonal and bicommunal] state comprising two politically equal communities." It remains to be seen whether Turkish Cypriots and their leader, Mr. Rauf Denktash, will agree and make the necessary territorial adjustments and accounting for displaced persons. These sticking points, which have stalled past negotiations, are already threatening talks which have not yet begun.

The European Community and the Group of Seven, have recently issued statements in support of a prompt resolution to the continuing Turkish occupation of northern Cyprus.

With so much interest in, and support for, a settlement of this issue, perhaps the time is at hand for a peaceful and permanent settlement that will again restore the long-term vitality and world position of this beautiful and bountiful island.

I applaud all these efforts and pledge my support to any effort which will restore to the Cypriots a peaceful and democratic government.

Mrs. BENTLEY. I thank the gentleman for his remarks.

YAKUZA FIGURE BUYS PEBBLE BEACH

Mr. Speaker, I have taken the time tonight not with the intention to devote any of it to the Cyprus situation because I knew the gentleman from Florida [Mr. BILIRAKIS] had taken time for that purpose.

In view of the tremendous interest, I was very happy to share some of my time on that important subject. But I have another issue that I want to bring up tonight, a subject that I think is equally important to many, many Americans.

Mr. Speaker, the recent rash of sales of America's trophy golf courses to Japanese individuals, and companies, should be examined very closely by our Government. Some of the individuals involved in the purchases are connected with the Japanese mob.

Minouri Isutani, a Japanese mobster, was allowed to buy Pebble Beach Golf Course, after being turned down for a casino gambling license by the State of Nevada Gambling Commission. I am a native of Nevada and fully understand what it means when the State turns down someone for a gambling license because of their organized crime connections—in this case the Japanese Yakuza, or mafia.

Mr. Isutani should not be allowed to own a golf course in America, nor to form business alliances with our top professional golfers, such as Ben Hogan or Jack Nicklaus, or with the PGA tour of golf professionals. Isutani bought the Ben Hogan Co., several years ago, and also funds the Ben Hogan Tour. He also signed Jack Nicklaus to design golf courses.

I am aware that individuals do not have the ability to check someone's background for mob connections like a State does, but we have worked very hard in the United States to keep the crooks and gangsters out of sports. Are we now letting them in golf?

Can you imagine the newspaper headlines if we knowingly allowed a member of the mafia in the United States to buy a trophy course like Pebble Beach? Those headlines would read "Mobster Buys Pebble Beach" where the PGA National Open will be played in 1992. The country would be in an uproar demanding an investigation of the sale.

Can you imagine how Al Capone would have envied the ease with which Mr. Isutani came into such a prestigious piece of property as Pebble Beach along with all of the alliances and opportunities that go with it? The Justice Department and the FBI are supposed to be the guardian for the American people so that organized crime does not disturb legitimate businesses in America. So, where are they in this case?

Apparently in Japan there is a different attitude about gangsters. A daily newsletter on Japan reported that a senior Finance Ministry official told reporters "that the Ministry of Finance has dropped plans to ban securities brokers from doing business with crime syndicates because even gangsters have the right to engage in economic activities." The same report stated that to ban trade with gangsters "would go against the spirit of the Constitution, which calls for equality for every citizen."

Our Constituiton does not guarantee criminals the right to operate in legitimate businesses. We have a criminal code to take care of problems like that. Will the Japanese attitude be a problem for us since Americans have been told not to criticize the Japanese because we need them to buy United States securities.

Will this mean that Americans will have to be nice to Japanese gangsters and look the other way when they move into legitimate businesses or sports in the United States? Is that why Minouri Isutani is allowed to buy Pebble Beach? This attitude of the Finance Minister shows a toleration of mobsters in business, which is not allowed in the United States—at least not up to now.

Japan's attitude about business is very different from ours. Golf is viewed more as a business arrangement not so much as recreation.

Even fees and golf memberships are regarded differently in Japan than in the United States. In Japan golf memberships are treated like stock or real estate and are traded and used as an investment. Membership prices of the 500 major golf clubs around Japan are published in a weekly statistic in the Nikkei Golf Membership Index.

In the United States golf is open to everyone from every walk of life. We have public courses and membership courses with a range of membership costs.

But, in Japan, the costs are prohibitive and the Japanese investors are bringing those ridiculous costs and attitudes about golf into the United States. At Pebble Beach the membership fees are a reported $740,000. Now at many of the courses the pro shop is

staffed by a clerk and not with someone knowledgeable about golf.

It is difficult to fully understand what these high costs and changes will mean to American golfers. I do know though, that mothers and fathers in America have urged their children into sports and playing golf. We should continue our vigilance to make sports and golf available for your youngsters and citizens in a clean atmosphere. Japanese mobsters should be kept out of sports and Pebble Beach.

Tomorrow Congressman DUNCAN HUNTER and I will forward a letter to Attorney General Richard Thornburgh and request the Justice Department to investigate this invasion of U.S. sports by foreign mobsters in order to keep our sports on a very high plane.

SECOND BIENNIAL REVISION TO THE U.S. ARCTIC RESEARCH PLAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mr. GEREN of Texas), laid before the House the following message from the President of the United States which was read and, together with the accompanying papers, without objection, referred to the Committee on Science, Space, and Technology:

To the Congress of the United States:

Pursuant to the provisions of the Arctic Research and Policy Act of 1984 (Public Law 98–373, section 109(a); 15 U.S.C. 4108(a)), I hereby transmit the second biennial revision (1991–93) to the United States Arctic Research Plan.

GEORGE BUSH.

THE WHITE HOUSE, *July 23, 1991.*

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CALLAHAN (at the request of Mr. MICHEL), for today, on account of personal reasons.

Mr. WEISS (at the request of Mr. GEPHARDT), for today and the balance of the week, on account of medical leave.

Mr. MATSUI (at the request of Mr. GEPHARDT), for today, on account of family illness.

Mr. ACKERMAN (at the request of Mr. GEPHARDT), for today, on account of official business.

Mr. KOLTER (at the request of Mr. GEPHARDT), for today, on account of official business.

Mr. ANDREWS of New Jersey (at the request of Mr. GEPHARDT), for after 4:00 p.m. today, on account of official business.

Mr. WASHINGTON (at the request of Mr. GEPHARDT), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. GOSS) to revise and extend their remarks and include extraneous material:)

Mr. CAMPBELL of California, for 5 minutes, on July 23.

Mrs. BENTLEY, for 60 minutes each day, on July 23, 24, 25, 26, 29, 30, and 31, and August 1 and 2.

Mr. WOLF, for 5 minutes, on July 29.

(The following Members (at the request of Mr. SLATTERY) to revise and extend their remarks and include extraneous material:)

Mr. GEPHARDT, for 5 minutes, today.

Mrs. UNSOELD, for 5 minutes, today.

Mr. RAY, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mrs. MINK, for 60 minutes, on July 25.

Mr. PEASE, for 5 minutes, on July 26.

Mr. ANDREWS of New Jersey, for 5 minutes, on July 24.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

(The following Members (at the request of Mr. GOSS) and to include extraneous matter:)

Mr. BROOMFIELD.

Mrs. BENTLEY in two instances.

Mr. SHAW.

Mr. SOLOMON in two instances.

Mr. MACHTLEY.

Ms. ROS-LEHTINEN.

Mr. FIELDS.

Mr. ARCHER.

Mr. COX of California.

Mr. DOOLITTLE.

Mr. HANCOCK.

Mr. COBLE.

Mr. GUNDERSON.

(The following Members (at the request of Mr. SLATTERY) and to include extraneous matter:)

Mr. SHARP, in two instances.

Mr. MONGOMERY.

Mr. PEASE.

Mr. MATSUI.

Mr. HOYER.

Mr. KLECZKA.

Mr. RAHALL.

Mr. FALEOMAVAEGA.

Mr. EDWARDS of California.

Mr. DARDEN.

Ms. SLAUGHTER of New York.

Mr. KILDEE.

Mr. WEISS.

Mr. HUBBARD.

Mr. LEVINE of California.

Mr. TRAFICANT.

Mr. FASCELL.

Mrs. SCHROEDER.

Mr. STARK.

Mr. SKELTON.

Mr. LEHMAN of California.

Mr. BRUCE.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. ROSE, from the Committee on House Administration, reported that that committee did on the following dates present to the President, for his approval, bills and joint resolutions of the House of the following titles:

On July 20, 1991:

H.R. 427. An act to disclaim any interests of the United States in certain lands on San Juan Island, Washington, and for other purposes.

H.R. 998. An act to designate the building in Vacherie, Louisiana, which houses the primary operations of the United States Postal Service as the "John Richard Haydel Post Office Building".

H.R. 2347. An act to redesignate the Midland General Mail Facility in Midland, Texas, as the "Carl O. Hyde General Mail Facility," and for other purposes.

H.J. Res. 255. Joint resolution designating the week beginning July 21, 1991, as the "Korean War Veterans Remembrance Week."

On July 22, 1991:

H.R. 751. An act to enhance the literacy and basic skills of adults, to ensure that all adults in the United States acquire the basic skills necessary to function effectively and achieve the greatest possible opportunity in their work and in their lives and to strengthen and coordinate adult literacy programs.

On July 23, 1991:

H.J. Res. 279. Joint resolution to declare it to be the policy of the United States that there should be a renewed and sustained commitment by the Federal Government and the American people to the importance of adult education.

ADJOURNMENT

Mrs. BENTLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 8 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, July 24, 1991, at 12 noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1801. A communication from the President of the United States, transmitting classified and unclassified reports on the redeployment of the Armed Forces of the United States, in connection with Operation Desert Storm, pursuant to Public Law 102–28, section 108(a) (105 Stat. 166); to the Committee on Appropriations.

1802. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to authorize supplemental appropriations for the fiscal year 1991 in connection with the tornado recovery program at McConnell Air Force Base, KS, and to authorize additional administrative procedures for the Persian Gulf regional defense fund; to the Committee on Armed Services.

1803. A letter from the General Counsel of the Department of Defense, transmitting a draft of proposed legislation to amend section 1121 of Public Law 100–180, 101 Stat. 1147,

to allow more effective use of the Department of Defense Counterintelligence Polygraph Program; to the Committee on Armed Services.

1804. A letter from the Secretary of Housing and Urban Development, transmitting the annual report of the operations of the Federal National Mortgage Association during calendar year 1990, pursuant to 12 U.S.C. 1723a(h); to the Committee on Banking, Finance and Urban Affairs.

1805. A letter from the General Counsel of the Department of the Treasury, transmitting a draft of proposed legislation to provide for participation by the United States in a capital stock increase of the International Finance Corporation; to the Committee on Banking, Finance and Urban Affairs.

1806. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 9-51, "District of Columbia Good Time Credits Amendment Act of 1991", and report, pursuant to D.C. Code, section 1-233(c)(1); to the Committee on the District of Columbia.

1807. A letter from the Secretary, Department of Energy, transmitting an update on energy targets transmitted during preceding year, pursuant to 42 U.S.C. 7361(c); to the Committee on Energy and Commerce.

1808. A letter from the Director, Federal Trade Commission, transmitting the Commission's Annual Report, pursuant to 15 U.S.C. 46(f); to the Committee on Energy and Commerce.

1809. A letter from the Secretary, Interstate Commerce Commission, transmitting notification that it has extended the time period for acting on the appeal in No. 40365, "National Starch and Chemical Corporation v. The Atchison, Topeka and Santa Fe Railway Company, Et Al.", pursuant to 49 U.S.C. 10327(k)(2); to the Committee on Energy and Commerce.

1810. A letter from the Department of State, Assistant Secretary for Legislative Affairs, transmitting copies of Presidential Determinations No. 91-42, 91-45, authorizing the furnishing of assistance from the Emergency Refugee and Migration Assistance Fund for unexpected urgent needs of refugees and other persons in Western Sahara, pursuant to 22 U.S.C. 2601(c)(3); to the Committee on Foreign Affairs.

1811. A letter from the Director, Defense Security Assistance Agency, transmitting the price and availability report for the quarter ending June 30, 1991, pursuant to Public Law 100-461, section 588(b)(3) (102 Stat. 2268-51); to the Committee on Foreign Affairs.

1812. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification of the Department of the Navy's proposed Letter(s) of Offer and Acceptance [LOA] to Japan for defense articles and services (Transmittal No. 91-27), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

1813. A letter from the Acting Director, Defense Security Assistance Agency, transmitting notification of the Department of the Navy's proposed Letter(s) of Offer and Acceptance [LOA] to Japan for defense articles and services (Transmittal No. 91-28), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

1814. A letter from the Director, Defense Security Assistance Agency, transmitting notification of the Department of the Air Force's proposed Letter(s) of Offer and Acceptance [LOA] to Turkey for defense articles and services (Transmittal No. 91-43), pursuant to 22 U.S.C. 2776(b); to the Committee on Foreign Affairs.

1815. A letter from the Director, U.S. Information Agency, transmitting a report entitled, "Special Report by the Advisory Board for Cuba Broadcasting on TV Marti"; to the Committee on Foreign Affairs.

1816. A letter from the Chairman, Advisory Council on Historic Preservation, transmitting a draft of proposed legislation to amend the act of October 15, 1966 (80 Stat. 915), as amended, establishing a program for the preservation of additional historic property throughout the Nation, and for other purposes; to the Committee on Interior and Insular Affairs.

1817. A letter from the Administrator, Federal Aviation Administration, transmitting the implementation plan for Federal security managers and civil aviation security liaison officers; to the Committee on Public Works and Transportation.

1818. A letter from the Director, Office of Management and Budget, transmitting the status report on credit management and debt collection, July 1991; to the Committee on Ways and Means.

1819. A letter from the Secretary of Energy, transmitting a report on waste tank safety issues at the Hanford site; jointly, to the Committees on Armed Services and Energy and Commerce.

1820. A letter from the Executive Director, Resolution Trust Corporation, transmitting the Corporation's status report for the month of June 1991, (review of 1988-89 FSLIC assistance agreements); jointly, to the Committees on Banking, Finance and Urban Affairs and Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DE LA GARZA: Committee on Agriculture. H.R. 2893. A bill to extend to 1991 crops the disaster assistance provisions of the Food, Agriculture, Conservation, and Trade Act of 1990; with an amendment (Rept. 102-158). Referred to the Committee of the Whole House of the State of the Union.

Mr. MOAKLEY: Committee on Rules. House Resolution 200. Resolution waiving certain points of order during consideration of H.R. 2942, a bill making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1992, and for other purposes (Rept. 102-159). Referred to the House Calendar.

REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. GONZALEZ: Committee on Banking, Finance and Urban Affairs. H.R. 6. A bill to reform the deposit insurance system to enforce the congressionally established limits on the amounts of deposit insurance, and for other purposes with amendments. Referred to the Committee on Agriculture, the Committee on Energy and Commerce, the Committee on the Judiciary, and the Committee on Ways and Means for a period ending not later than September 27, 1991 only for consideration of such provisions of the amendments recommended by the Committee on Banking, Finance and Urban Affairs as fall within the respective jurisdictions of those committees pursuant to clauses 1(a), 1(h), 1(m), and 1(v) of Rule X (Rept. No. 102-157, Pt. 1). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MARTINEZ (for himself, Mr. ROYBAL, Mr. KILDEE, Mr. DOWNEY, Mr. GEKAS, Mrs. LOWEY of New York, and Mr. DE LUGO):

H.R. 2967. A bill to amend the Older Americans Act of 1965 to authorize appropriations for fiscal years 1992 through 1995; to authorize a 1993 National Conference on Aging; to amend the Native Americans Programs Act of 1974 to authorize appropriations for fiscal years 1992 through 1995; and for other purposes; to the Committee on Education and Labor.

By Mr. DELLUMS (for himself and Mr. BLILEY):

H.R. 2968. A bill to waive the period of congressional review of certain District of Columbia acts; to the Committee on the District of Columbia.

By Mr. BLILEY (for himself, Mr. DELLUMS, and Ms. NORTON):

H.R. 2969. A bill to permit the Mayor of the District of Columbia to reduce the budgets of the Board of Education and other independent agencies of the District, to permit the District of Columbia to carry out a program to reduce the number of employees of the District government, and for other purposes; to the Committee on the District of Columbia.

By Mr. DIXON:

H.R. 2970. A bill to amend the Higher Education Act of 1965 to provide program grants to medical and allied health professions institutions for graduate education and training which will benefit underserved, economically disadvantaged communities; to the Committee on Education and Labor.

By Mr. DOOLITTLE (for himself, Mr. HERGER, Mr. LENT, Mr. RIGGS, Mr. ROGERS, Mr. KOLTER, Mr. LAGOMARSINO, and Mr. EMERSON):

H.R. 2971. A bill to amend title II of the Social Security Act to provide that States and local governments may not tax Social Security benefits; jointly, to the Committees on Ways and Means and the Judiciary.

By Mr. EDWARDS of California (for himself, Mr. BERMAN, Mr. CONYERS, Mr. DIXON, Mr. DYMALLY, Mr. KOPETSKI, Mr. LEVINE of California, Mr. WASHINGTON, and Mr. WATERS):

H.R. 2972. A bill to strengthen the Federal response to police misconduct; to the Committee on the Judiciary.

By Mr. FALEOMAVAEGA:

H.R. 2973. A bill to establish a native American University, and for other purposes; to the Committee on Education and Labor.

By Mr. GEPHARDT:

H.R. 2974. A bill to provide payments to States and certain other entities and individuals as a reward to increase the number of children who receive preschool health care and early childhood education and to increase the number of high school seniors who achieve outstanding scores in math and science; and for other purposes; jointly, to the Committees on Education and Labor and Ways and Means

By Mr. HOCHBRUECKNER:

H.R. 2975. A bill to amend title 23, United States Code, to reduce traffic congestion resulting from construction of Federal-aid highway projects, and for other purposes; to the Committee on Public Works and Transportation.

By Mr. KOSTMAYER:

H.R. 2976. A bill to limit the antitrust exemption applicable to joint agreements among certain professional sports teams regarding telecasting their games played at home for viewing without charge to the public; to the Committee on the Judiciary.

By Mr. MARKEY (for himself, Mr. RINALDO, Mr. SCHEUER, Mr. TAUZIN, Mr. WYDEN, Mr. RICHARDSON, Mr. BRYANT, Mr. BOUCHER, Mr. COOPER, Mr. MANTON, Mr. MCMILLEN of Maryland, Mr. LEHMAN of California, Mr. HARRIS, Mr. OXLEY, Mr. BILIRAKIS, Mr. SCHAEFER, and Mr. ECKART):

H.R. 2977. A bill to authorize appropriations for public broadcasting, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MATSUI (for himself and Mr. VANDER JAGT):

H.R. 2978. A bill to amend the Internal Revenue Code of 1986 with respect to the treatment under the partnership allocation rules of certain nonrecourse financing qualifying under the at-risk rules; to the Committee on Ways and Means.

By Mr. MONTGOMERY (by request):

H.R. 2979. A bill to provide military commissary and exchange privileges to the surviving spouses of veterans dying from a service-connected disability; to the Committee on Armed Services.

H.R. 2980. A bill to provide eligibility for military commissary and exchange privileges and space-available transportation on military aircraft to certain former enlisted members of the Armed Forces discharged for disability; to the Committee on Armed Services.

H.R. 2981. A bill to restore Memorial Day to its original date; to the Committee on Post Office and Civil Service.

H.R. 2982. A bill to amend title 38, United States Code, to extend to recipients of the Medal of Honor eligibility for medical and dental care furnished by the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

H.R. 2983. A bill to amend title 38, United States Code, to provide for an increase in the amount of dependency and indemnity compensation paid to dependent parents of deceased veterans in the case of parents who are permanently housebound; to the Committee on Veterans' Affairs.

H.R. 2984. A bill to amend title 38, United States Code, to repeal the requirement that a chronic disease becoming manifest in a veteran within 1 year of the veteran's discharge from military service must be at least 10 percent disabling in order to be presumed to be service-connected for purposes of veterans' benefits; to the Committee on Veterans' Affairs.

H.R. 2985. A bill to amend title 38, United States Code, to extend educational assistance benefits to dependents of veterans with a service-connected disability of 80 percent or more; to the Committee on Veterans' Affairs.

H.R. 2986. A bill to amend title 38, United States Code, to eliminate the delimiting date for spouses and surviving spouses eligible for benefits under chapter 35; to the Committee on Veterans' Affairs.

H.R. 2987. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide mortgage protection life insurance to certain veterans unable to acquire commercial mortgage protection life insurance because of service-connected disabilities; to the Committee on Veterans' Affairs.

H.R. 2988. A bill to authorize a period in which otherwise eligible veterans with service-connected disabilities may apply for coverage under the Service Disabled Veterans Insurance Program; to the Committee on Veterans' Affairs.

H.R. 2989. A bill to amend title 38, United States Code, to limit the apportionment of benefits paid by the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

H.R. 2990. A bill to amend section 110 of title 38, United States Code, to liberalize the standard for preservation of disability evaluations for compensation purposes; to the Committee on Veterans' Affairs.

H.R. 2991. A bill to amend chapter 42 of title 38, United States Code, with respect to the definition of disabled veteran; to the Committee on Veterans' Affairs.

H.R. 2992. A bill to amend title 38, United States Code, to provide that former prisoners of war are eligible for reimbursement for emergency medical expenses on the same basis as veterans with total permanent service-connected disabilities; to the Committee on Veterans' Affairs.

H.R. 2993. A bill to amend title 38 of the United States Code to permit certain eligible veterans to purchase up to $20,000 of National Service Life Insurance; to the Committee on Veterans' Affairs.

H.R. 2994. A bill to amend chapter 24 of title 38, United States Code, to provide for the establishment of at least one national cemetery in each State; to the Committee on Veterans' Affairs.

By Mr. OBERSTAR:

H.R. 2995. A bill to amend title 18, United States Code, to permit Federal firearms licensees to conduct firearms business at out-of-State gun shows; to the Committee on the Judiciary.

By Mr. RICHARDSON (for himself and Mr. TOWNS):

H.R. 2996. A bill to amend the Communications Act of 1934 to assure equal employment opportunities are afforded by radio and television broadcasting stations; to the Committee on Energy and Commerce.

By Mrs. SCHROEDER (for herself, Mr. SCHAEFER, Mr. SKAGGS, Mr. ALLARD, Mr. CAMPBELL of Colorado, and Mr. HEFLEY):

H.R. 2997. A bill to amend title 28 of the United States Code to authorize the appointment of one additional bankruptcy judge for the district of Colorado: to the Committee on the Judiciary.

By Mr. SHARP:

H.R. 2998. A bill to amend the Natural Gas Act to permit the development of coalbed methane gas in areas where its development has been impeded or made impossible by uncertainty and litigation over ownership rights, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SLATTERY:

H.R. 2999. A bill to amend the Communications Act of 1934 to expand the broadcasting of information on election campaigns; to the Committee on Energy and Commerce.

H.R. 3000. A bill to provide for comprehensive reform of Federal election campaign financing; jointly, to the Committees on Ways and Means and House Administration.

By Mr. TORRICELLI (for himself, Mr. MCMILLEN of Maryland, and Mr. ROE):

H.R. 3001. A bill to provide for the development of a national strategic plan for advanced materials processing, synthesis, and research and development, the establishment of national advanced materials processing and synthesis centers, and the establishment of advanced materials principal investigator and fellowship awards programs, and for other purposes; to the Committee on Science, Space, and Technology.

By Mrs. UNSOELD (for herself and Mr. AUCOIN):

H.R. 3002. A bill to amend the Federal Power Act to provide a definition of the term "fishway"; to the Committee on Energy and Commerce.

By Mr. WISE:

H.R. 3003. A bill to provide that certain regulations of the Secretary of Labor relating to the adjudication of claims under the Black Lung Benefits Act shall be of no force or effect; to the Committee on Education and Labor.

By Mr. SLATTERY:

H.J. Res. 311. Joint resolution proposing an amendment to the Constitution of the United States to provide for a 4-year term for Members of the House of Representatives; to the Committee on the Judiciary.

By Mr. JOHNSON of Texas:

H. Con. Res. 185. Concurrent resolution commending the people of the United States who selflessly and heroically fight crime; to the Committee on the Judiciary.

By Ms. OAKAR (for herself, Mr. ROBERTS, Mr. THOMAS of California, and Mr. PANETTA):

H. Res. 199. Resolution providing for certain civilian support positions for the Capitol Police for the performance of functions with respect to the House of Representatives; to the Committee on House Administration.

By Mr. WEISS (for himself, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. ANTHONY, Mr. APPLEGATE, Mr. ARCHER, Mr. BACCHUS, Mr. BEVILL, Mr. BILBRAY, Mr. BLILEY, Mr. BUSTAMANTE, Mr. CARR, Mr. CLEMENT, Mr. COLEMAN of Texas, Mrs. COLLINS of Michigan, Mrs. COLLINS of Illinois, Mr. COMBEST, Mr. CONDIT, Mr. COOPER, Mr. DARDEN, Mr. DE LUGO, Ms. DELAURO, Mr. DELLUMS, Mr. DICKINSON, Mr. DINGELL, Mr. DIXON, Mr. DONNELLY, Mr. DOOLEY, Mr. DOWNEY, Mr. DYMALLY, Mr. ECKART, Mr. ERDREICH, Mr. ESPY, Mr. FISH, Mr. FLAKE, Mr. FOGLIETTA, Mr. FORD of Tennessee, Mr. FROST, Mr. GEKAS, Mr. GILMAN, Mr. GUARINI, Mr. HAMILTON, Mr. HARRIS, Mr. HASTERT, Mr. HATCHER, Mr. HERTEL, Mr. HOCHBRUECKNER, Mr. HORTON, Mr. HOUGHTON, Mr. HUBBARD, Mr. HUTTO, Mr. INHOFE, Ms. KAPTUR, Mr. KENNEDY, Mr. KILDEE, Mr. KLECZKA, Mr. KOPETSKI, Mr. LANCASTER, Mr. LANTOS, Mr. LENT, Mr. LEVIN of Michigan, Mr. LOWERY of California, Mr. MACHTLEY, Mr. MANTON, Mr. MARKEY, Mr. MARTINEZ, Mr. MATSUI, Mr. MAVROULES, Mr. MCCLOSKEY, Mr. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGRATH, Mr. MCMILLEN of Maryland, Mr. MCNULTY, Mr. MFUME, Mrs. MINK, Mr. MOODY, Mr. MORAN, Mrs. MORELLA, Mr. MURPHY, Mr. MURTHA, Mr. MYERS of Indiana, Mr. NEAL of Massachusetts, Ms. OAKAR, Mr. OBERSTAR, Mr. ORTON, Mr. OWENS of New York, Mr. PACKARD, Mr. PANETTA, Mr. PAYNE of New Jersey, Ms. PELOSI, Mr. PENNY, Mr. PURSELL, Mr.

RAHALL, Mr. RAMSTAD, Mr. RANGEL, Mr. RAVENEL, Mr. REED, Mr. RICHARDSON, Mr. RITTER, Mr. ROWLAND, Mr. SARPALIUS, Mr. SERRANO, Mr. SHAYS, Mr. SISISKY, Mr. SLAUGHTER of Virginia, Mr. SMITH of New Jersey, Mr. SPRATT, Mr. STAGGERS, Mr. STALLINGS, Mr. STENHOLM, Mr. SUNDQUIST, Mr. SWIFT, Mr. SYNAR, Mr. TALLON, Mr. THOMAS of Wyoming, Mr. TORRES, Mr. TOWNS, Mr. TRAFICANT, Mr. TRAXLER, Mr. UPTON, Mr. VANDER JAGT, Mr. VOLKMER, Mrs. VUCANOVICH, Ms. WATERS, Mr. WEBER, Mr. WILSON, Mr. YATRON, and Mr. YOUNG of Alaska):

H. Res. 201. Resolution expressing the sense of the House of Representatives that the people of the United States should recognize "An Artistic Discovery," the congressional high school art competition; to the Committee on Education and Labor.

MEMORIALS

Under clause 4 of rule XXII.

243. The SPEAKER presented a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to selection of a site in the Valley Forge area for a national cemetery; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEILENSON:

H.R. 3004. A bill relating to the reliquidation of certain entries; to the Committee on Ways and Means.

By Ms. KAPTUR:

H.R. 3005. A bill to clear certain impediments to the licensing of a vessel for employment in the coastwise trade and fisheries of the United States; to the Committee on Merchant Marine and Fisheries.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 53: Mr. SCHIFF, Mr. CLINGER, Mr. HUBBARD, Mr. SANGMEISTER, and Mr. MURTHA.

H.R. 179: Mr. DIXON.

H.R. 303: Mr. MAVROULES.

H.R. 318: Mr. ECKART.

H.R. 381: Mr. HOYER, Mr. FAZIO. Mrs. SCHROEDER, and Mr. DOOLEY.

H.R. 382: Mr. JOHNSTON of Florida.

H.R. 384: Mr. GOODLING.

H.R. 418: Mr. HORTON, Mr. THOMAS of Wyoming, Mr. SERRANO, and Mr. SKEEN.

H.R. 423: Mr. FRANK of Massachusetts.

H.R. 443: Ms. NORTON.

H.R. 573: Mr. DWYER of New Jersey.

H.R. 576: Mr. STAGGERS, Mr. GUNDERSON, and Mr. MARKEY.

H.R. 778: Mr. GEPHARDT.

H.R. 875: Mr. DELLUMS, Mr. YATES, and Mr. SKAGGS.

H.R. 967: Mr. REED and Mr. RAY.

H.R. 1000: Mr. JOHNSTON of Florida.

H.R. 1077: Mr. UPTON.

H.R. 1161: Mr. RAHALL, Mr. MURTHA, Mr. MORRISON, and Mr. WILSON.

H.R. 1200: Mr. ECKART, Mr. STALLINGS, Mr. VANDER JAGT, Mr. PRICE, Mr. KANJORSKI, Mr. LAROCCO, and Mr. RAVENEL.

H.R. 1235: Mr. McDade and Mr. RIDGE.

H.R. 1263: Mr. JOHNSTON of Florida.

H.R. 1264: Mr. JOHNSTON of Florida.

H.R. 1292: Mr. SKEEN.

H.R. 1330: Mr. LENT, Mr. BLILEY, Mr. THOMAS of California, Mr. SPENCE, Mr. ANNUNZIO, Mr. CARR, Mr. GUNDERSON, Mr. SLAUGHTER of Virginia, Mr. SOLOMON, Mr. LEACH, Mr. REGULA, Mr. GALLEGLY, and Mr. SKEEN.

H.R. 1346: Mr. BACCHUS.

H.R. 1400: Mr. DOOLITTLE, Mr. UPTON, and Mr. BAKER.

H.R. 1417: Mr. NEAL of North Carolina.

H.R. 1450: Mr. MOODY.

H.R. 1468: Mr. LEWIS of Florida.

H.R. 1527: Mr. HOPKINS, Mr. WEBER, Mr. DYMALLY, Mr. SARPALIUS, Mr. PETERSON of Minnesota, Mr. MARLENEE, and Mr. KLECZKA.

H.R. 1531: Mr. SCHIFF, Mr. LIVINGSTON, and Mr. MARTINEZ.

H.R. 1538: Mr. BILBRAY and Mr. ROYBAL.

H.R. 1691: Mr. GUARINI, Mr. FLAKE, Mr. MARKEY, Mr. ZIMMER, Mr. HOBSON, Mr. ROGERS, and Mr. THOMAS of Wyoming.

H.R. 1751: Mr. MARTIN, Ms. NORTON and Mr. ENGEL.

H.R. 1883: Mr. ECKART.

H.R. 1916: Mr. KOSTMAYER.

H.R. 1970: Mr. KOSTMAYER, Mr. JONTZ, Mr. KOPETSKI, Mr. MCHUGH, Mr. TORRICELLI, Mr. SMITH of New Jersey, and Mr. WHEAT.

H.R. 1992: Mr. MFUME and Mr. ANDERSON.

H.R. 2027: Mr. CAMPBELL of Colorado.

H.R. 2099: Mr. HOCHBRUECKNER, Mr. RANGEL, Mr. WALSH, Mr. FOGLIETTA, Mr. HAYES of Illinois, Mr. BOEHLERT, Mr. JONTZ, Mr. DURBIN, Mr. ESPY, Mr. LANTOS, Mr. KOPETSKI, Mr. MARTINEZ, Mr. BRUCE, Mr. FROST, Mr. MFUME, Mr. ECKART, and Mr. SMITH of Florida.

H.R. 2115: Mr. DICKINSON and Mr. EVANS.

H.R. 2197: Mr. JOHNSON of South Dakota, Mr. BORSKI, and Ms. SNOWE.

H.R. 2210: Mr. HORTON, Mrs. SCHROEDER, and Mr. HOCHBRUECKNER.

H.R. 2224: Mr. BROWN and Mr. STARK.

H.R. 2235: Mr. SWETT and Mr. CAMPBELL of Colorado.

H.R. 2258: Mr. HAYES of Illinois, Mr. ROE, and Mr. YATES.

H.R. 2342: Mr. SHARP.

H.R. 2374: Mr. FRANK of Massachusetts, Mr. TOWNS, Mr. LEWIS of Georgia, and Ms. NORTON.

H.R. 2451: Mr. LEHMAN of California, Mr. BRYANT, Mr. MARTINEZ, Mr. OBERSTAR, and Mr. YATES.

H.R. 2452: Mr. MARTINEZ.

H.R. 2456: Mr. WOLPE, Mr. BEILENSON, Mr. SCHUMER, Mr. FRANK of Massachusetts, and Mr. ABERCROMBIE.

H.R. 2470: Mr. HENRY.

H.R. 2500: Ms. OAKAR.

H.R. 2523: Mr. KOLBE, Mr. RIGGS, Mr. RAMSTAD, Mr. DUNCAN, and Mr. SOLOMON.

H.R. 2526: Mr. GILMAN, Mr. BONIOR, Mr. BOUCHER, Ms. KAPTUR, Mr. ERDREICH, Mr. GORDON, Mr. HOCHBRUECKNER, Mr. HORTON, Mr. EMERSON, Mr. MILLER of California, Mr. KASICH, Ms. PELOSI, Mr. VANDER JAGT, Mr. MCMILLEN of Maryland, Mr. RAHALL, Ms. OAKAR, Mr. DYMALLY, Mr. MCHUGH, Mr. LAGOMARSINO, Mr. FROST, Mr. BERMAN, Mr. NEAL of Massachusetts, Mr. MCNULTY, Mr. ROGERS, Ms. SLAUGHTER of New York, Mr. ACKERMAN, Mr. TOWNS, Mr. ANDREWS of Texas, Mr. DANNEMEYER, Mr. WHITTEN, Mr. EVANS, Mr. HUGHES, Mr. ROE, and Mr. DWYER of New Jersey.

H.R. 2568: Mr. DOOLEY.

H.R. 2579: Mr. CAMPBELL of Colorado.

H.R. 2597: Mr. FLAKE.

H.R. 2600: Mr. RAHALL.

H.R. 2603: Mr. LANCASTER and Mr. BENNETT.

H.R. 2629: Mr. PERKINS, Mr. ECKART, Mr. MACHTLEY, Mr. PRICE, and Mr. SERRANO.

H.R. 2632: Mr. COYNE.

H.R. 2639: Mr. ALEXANDER.

H.R. 2649: Mr. WALSH, Mr. DORNAN of California, Mr. KLUG, Mr. GUNDERSON, Mr. GALLEGLY, Mr. HORTON, Mr. LAGOMARSINO, and Mr. HYDE.

H.R. 2740: Mr. EVANS, Mr. JOHNSON of South Dakota, Mr. LANCASTER, Mr. LEHMAN of Florida, and Mr. RANGEL.

H.R. 2751: Mr. FAWELL and Mr. DE LUGO.

H.R. 2755: Mr. DICKS, Mr. AUCOIN, Mr. KOSTMAYER, Mr. MACHTLEY, Mr. MRAZEK, Mr. ESPY, Mr. FRANK of Massachusetts, and Mr. FORD of Tennessee.

H.R. 2767: Mr. ROYBAL, Mr. DORNAN of California, Mr. JOHNSON of South Dakota, and Mr. LANCASTER.

H.R. 2786: Mr. KOLBE.

H.R. 2803: Mr. TAUZIN.

H.R. 2804: Mr. ROYBAL, Mr. DE LUGO, Mr. OWENS of New York, Mr. DOWNEY, Mr. RANGEL, Mrs. MINK, Mr. YOUNG of Alaska, Mr. HORTON, Mr. SERRANO, Mr. MCNULTY, Mr. TRAFICANT, Mr. FROST, Mr. SKELTON, Mr. DEFAZIO, and Mr. HUCKABY.

H.R. 2815: Mr. LIGHTFOOT.

H.R. 2840: Mr. BERMAN, Mr. DYMALLY, Mr. LEHMAN of Florida, Mr. LANTOS, Mr. MCDERMOTT, Mr. LAFALCE, and Mr. FROST.

H.R. 2855: Mr. GILLMOR, Mr. FROST, Mr. MARTINEZ, Ms. ROS-LEHTINEN, Ms. LONG, Mr. JOHNSTON of Florida, Mr. REED, Mr. BERMAN, Mr. BORSKI, Mr. FORD of Tennessee, Mr. JOHNSON of South Dakota, Mr. ANTHONY, Mr. HAYES of Illinois, Mr. KLECZKA.

H.R. 2879: Mr. SKEEN and Mr. SARPALIUS.

H.R. 2880: Mr. MCDERMOTT, Mrs. LOWEY of New York, Mr. PAYNE of Virginia, Mr. GIBBONS, Mr. DIXON, Mr. DEFAZIO, Mr. TRAFICANT, Mr. KILDEE, Mr. BEILENSON, Mrs. SCHROEDER, Ms. NORTON, and Mr. BERMAN.

H.R. 2893: Mr. TAYLOR of Mississippi.

H.R. 2946: Mr. MCMILLEN of Maryland and Mr. SYNAR.

H.R. 2966: Mr. HYDE.

H.J. Res. 102: Mr. SABO and Mr. LAGOMARSINO.

H.J. Res. 156: Mr. MORAN, Mrs. COLLINS of Michigan, Mr. GILMAN, Mr. DIXON, Mr. RHODES, Mr. GALLEGLY, and Mr. ROYBAL.

H.J. Res. 217: Mr. YOUNG of Alaska and Mr. SABO.

H.J. Res. 238: Mr. PAYNE of New Jersey, Mr. TAUZIN, Mr. JONES of North Carolina, Mr. NEAL of North Carolina, Mr. RAVENEL, Mr. JONES of Georgia, Mr. IRELAND, Mr. LUKEN, Mr. LANCASTER, Mr. RAMSTAD, Mr. VALENTINE, Mr. YATRON, Mr. MCCRERY, Mr. WYDEN, Mr. VOLKMER, and Mr. TOWNS.

H.J. Res. 239: Mr. DOOLEY AND Mr. FISH.

H.J. Res. 244: Mr. ACKERMAN, Mr. ASPIN, Mr. BENNETT, Mr. BONIOR, Mr. BURTON of Indiana, Mr. CARPER, Mrs. COLLINS of Michigan, Mr. CONYERS, Mr. DEFAZIO, Mr. DIXON, Mr. ENGEL, Mr. ESPY, Mr. EVANS, Mr. FALEOMAVAEGA, Mr. GEKAS, Mr. GEREN of Texas, Mr. GORDON, Mr. HATCHER, Mr. HORTON, Mr. IRELAND, Mr. LANTOS, Mr. LEHMAN of Florida, Mr. LEVIN of Michigan, Mr. LEWIS of California, Mr. MAVROULES, Mr. MCCLOSKEY, Mr. MCDERMOTT, Mr. MCMILLEN of Maryland, Mr. MINETA, Mr. OWENS of Utah, Mr. PALLONE, Mr. RAHALL, Mr. RAMSTAD, Mr. RAVENEL, Mr. ROE, Mr. ROTH, Mr. RUSSO, Mr. SAVAGE, Mr. SCHEUER, and Mr. SCHUMER.

H.J. Res. 252: Mr. ROYBAL, Mr. CRAMER, Mr. MCCLOSKEY, Mr. BATEMAN, Mrs. KENNELLY, Mr. PRICE, Mr. NOWAK, Mr. GEKAS, Mr. BUNNING, Mr. WOLPE, Mr. MINETA, Mr. NAGLE, Mr. DORGAN of North Dakota, Mr. FRANK of Massachusetts, Mr. TORRICELLI, Ms. HORN, Ms. LONG, Mr. SABO, Mr. LIGHTFOOT, Mr. STAGGERS, and Mr. MAVROULES.

H.J. Res. 266: Mr. FAZIO, Mr. OWENS of Utah, Mr. LEWIS of Georgia, Mr. DEFAZIO, Mr. FROST, Mr. MCDERMOTT, Mr. ROYBAL, Mr. SARPALIUS, Mr. SAWYER, Mr. SCHEUER, Mr. SISISKY, Mr. SLATTERY, Mr. STOKES, Mr. TALLON, Mr. THOMAS of Georgia, Mr. TOWNS, Mr. TRAFICANT, Mr. VOLKMER, Mr. WAXMAN, Mr. WEISS, Mr. WILSON, Mr. MARKEY, Mr. MILLER of California, Mr. NEAL of Massachusetts, Mr. RAY, Mr. ORTON, and Mr. FEIGHAN.

H.J. Res. 287: Mr. SMITH of Oregon, Mr. SOLOMON, Mr. DICKS, Mr. RAMSTAD, Mr. FRANKS of Connecticut, Mr. MAZZOLI, Mr. ATKINS, Mr. SCHAEFER, Mr. BROWDER, Mr. HOUGHTON, Mr. PETRI, Mr. NATCHER, Mr. SLATTERY, Mr. NAGLE, Mr. SANDERS, Mr. EDWARDS of Texas, Mr. LIGHTFOOT, Mrs. MINK, and Mr. SKEEN.

H.J. Res. 288: Mr. ROGERS, Mr. FROST, Mr. ESPY, Mr. SOLOMON, Mr. GUARINI, Mr. RANGEL, Mr. EMERSON, Mr. LANCASTER, Mr. EVANS, Mr. QUILLEN, Mr. WEISS, Mr. HORTON, Mr. KILDEE, Mr. MCMILLEN of Maryland, Mr. CLEMENT, Mr. TALLON, Mr. ROE, Mr. SERRANO, Mr. LIPINSKI, Mr. ERDREICH, and Mr. LAFALCE.

H.J. Res. 303: Mr. EMERSON, Mr. SCHIFF, Mr. BURTON of Indiana, Mr. REGULA, Mr. CARDIN, Mr. CARR, Mr. WILSON, Mr. DICKS, Mr. GALLO, Mr. GEREN of Texas, Mr. GEKAS, Mr. HALL of Texas, Mr. HATCHER, Mr. HUTTO, Mr. HYDE, Mr. HEFNER, Mr. JONES of North Carolina, Ms. KAPTUR, Mr. DARDEN, Mr. KILDEE, Mr. WYDEN, Mr. LEVIN of Michigan, Mr. MATSUI, Mr. DE LUGO, Mr. MCCOLLUM, Mr. MCDADE, Mr. MILLER of Ohio, Mr. OWENS of New York, Mr. PAXON, Mr. RAVENEL, Ms. OAKAR, Mr. RINALDO, Mr. ROE, Mr. RITTER, Mr. SAVAGE, Mr. ROYBAL, Mr. ECKART, Mr. GORDON, Mr. SHARP, Mr. SLATTERY, Mr. SPENCE, Mr. SPRATT, Mr. VALENTINE, Mr. TAUZIN, Mr. TRAFICANT, Mr. YATRON, Mr. FAWELL, Mr. MAZZOLI, Mr. FASCELL, Mr. WEISS, Mr. FORD of Tennessee, Mr. MCEWEN, Mr. STALLINGS, Mr. NEAL of North Carolina, Mr. LANCASTER, Mr. BEVILL, Mr. BORSKI, Mr. HOCHBRUECKNER, Ms. NORTON, Mr. PURSELL, Mr. GILMAN, Mr. NEAL of Massachusetts, Mr. CONYERS, Mr. LAGOMARSINO, Ms. LONG, Mr. RANGEL, and Mr. MOODY.

H. Con. Res. 18: Mr. TOWNS, Mr. ABERCROMBIE, and Mr. MFUME.

H. Con. Res. 146: Mr. CAMPBELL of Colorado.

H. Con. Res. 150: Mr. ECKART, Mr. EVANS, Mr. FROST, Mr. LEWIS of Georgia, Mr. MFUME, Mrs. MORELLA, and Mr. WASHINGTON.

H. Con. Res. 168: Mr. RAMSTAD, Mr. LEACH, Mr. ESPY, Mr. FRANK of Massachusetts, Mr. GOSS, Mr. BERMAN, Mr. PANETTA, Mr. RICHARDSON, and Mr. DINGELL.

H. Con. Res. 176: Mr. DELLUMS, Mr. MRAZEK, Mr. PORTER, Mr. HORTON, Mr. SMITH of Florida, Mrs. SCHROEDER, Mr. FORD of Tennessee, and Mr. TOWNS.

H. Con. Res. 184: Mr. RITTER, Mr. KOLTER, Mr. BROWN, and Mr. CARDIN.

H. Res. 167: Mr. UPTON.

H. Res. 173: Mr. HERGER and Mr. LAGOMARSINO.